

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-203)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1198, L.D. 1351, Bill,
"AN ACT to Create the Casco Bay Island Transit District."

Amend the Bill by striking out all of section 3 and
inserting in its place the following:

'Sec. 3. Election of directors. The elected directors shall be elected by a plurality vote of the legal voters resident on the islands composing the district at an election to be held at the time of the municipal elections for the City of Portland, with the first election to be held Monday, May 4, 1981. Each director shall serve for a term of 3 years, with 2 directors being elected on a rotating basis each year. The order of rotation shall be decided by the directors by lot at the first meeting of the directors elected. Two-thirds of the directors shall constitute a quorum for the transaction of business and any action taken by a majority of directors present at any meeting at which a quorum is in attendance shall be deemed to be the action of the full board of directors.

Nominations for directors shall be by petition filed with the clerk of the district signed by at least 20 eligible voters resident on the islands composing the district not less than 21 days before the day of the election.

Pending the first election of directors, the following shall serve as interim directors in lieu of the elected directors and shall exercise the powers of such directors until the election: M. Irene Murray, Peaks Island; Donna Gilbeau, Peaks Island; Paul Husted, Peaks Island; Gerald Garman, Scarborough; Anne Romanyshyn,

Peaks Island; Stuart Laughlin, Great Diamond Island; Philip Lee, Little Diamond Island; Robert Jordan, Long Island; Johanna vonTiling, Cliff Island; and Jean Dyer, Great Chebeague Island.

Elections for directors shall be conducted by and under the supervision of the clerk of the district and the result shall be certified by the clerk. The expenses of the election shall be paid by the district. If such election is held in conjunction with any municipal election, the district shall reimburse the municipality for any additional expense caused by the district election.'

Further amend the Bill in section 9 by striking out all of the 2nd sentence and inserting in its place the following:

'The district, when operated for the purpose of providing public transportation, shall be exempt from all registration fees, excise, sales and use, income and any other taxes which may now or hereafter be assessed by the State or any political subdivision thereof.'

Further amend the Bill by striking out all of section 10 and inserting in its place the following:

'Sec. 10. Powers. The district may acquire by purchase any properties, stock, franchises, rights and privileges of the owners of Casco Bay Lines. For the purpose of providing necessary and convenient transportation to its service area, the district may also purchase other properties necessary for providing transportation.'

Further amend the Bill in section 11 by inserting at the end the following sentence: 'The amortization of and interest paid on bonds issued in this Act shall be included as an operating expense for rate-making purposes by the Public Utilities Commission.'

Further amend the Bill in section 12 by striking out all of the 2nd sentence and inserting in its place the following: 'The district shall operate under all the restraint, responsibilities and privileges as have applied to Casco Bay Lines, provided that alterations to rates and tolls by the district shall go into effect after such public notice as the Public Utilities Commission shall by rule prescribe without further action by the Public Utilities Commission, unless 10 ratepayers request in writing an investigation of the alterations, in which case the investigation shall be conducted as prescribed in the Revised Statutes, Title 35, chapter 15.'

Statement of Fact

This amendment makes technical corrections to the bill. In addition, it deletes the provision giving the Casco Bay Island Transit District condemnation powers.

The purpose of this amendment is to delete the express reference in the bill to the exemption of real estate and personal property from property taxation. That reference is unnecessary since the real and personal property of the district would already be exempt from property taxation under the general laws of the State.

Reported by the Committee on Transportation.
Reproduced and distributed under the direction of the Clerk of the House.