

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1138, L.D. 1594, Bill, "An Act to Transfer State Ownership of Certain Railroad Rights-of-way, Create the Calais to Eastport Rail Authority and Authorize a General Fund Bond Issue in the Amount of \$4,500,000 to Fund Establishment of Freight Rail Service between Calais and Eastport"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Create the Commission to Study Establishing a Rail Authority to Develop Rail Service from Calais to Eastport and Brewer'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Commission established. Resolved: That the Commission to Study Establishing a Rail Authority to Develop Rail Service from Calais to Eastport and Brewer, referred to in this resolve as the "commission," is established as follows.

1. Appointments. Appointments to the commission must be made within 30 days of the effective date of this resolve. The commission consists of the following members appointed by the Commissioner of Transportation:

A. One member from each of the county commissioner districts within Washington County in which state-owned railroad rights-of-way are located;

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- 2 B. One member from each of the county commissioner
districts within Hancock County in which state-owned
4 railroad rights-of-way are located;
- 6 C. One member from each of the county commissioner
districts within Penobscot County in which state-owned
8 railroad rights-of-way are located;
- 10 D. One member who is a member of the Eastport Port
Authority;
- 12 E. One member who is a member of the Passamaquoddy Tribe;
- 14 F. One member who represents the Department of
16 Transportation;
- 18 G. Three members who represent economic development
agencies in areas located along the state-owned railroad
20 rights-of-way; and
- 22 H. Three members who represent municipal governments of
municipalities located along state-owned railroad
24 rights-of-way.

26 **2. Duties.** The commission shall examine the potential uses
of rail service from Calais to Eastport and Brewer along existing
28 railroad rights-of-way owned by the State. It shall make
projections as to the volume of traffic along a developed
30 railway, estimate the costs of developing the rights-of-way and
review methods of funding and implementing the development of the
32 rights-of-way. The commission shall also make recommendations
regarding whether a public authority should be established to
34 fund and implement the development of the rights-of-way. If the
commission recommends the use of a public authority, the
36 commission shall also make recommendations on the membership,
powers, administration and other matters related to the operation
38 of the public authority.

40 **3. Meetings; election of chair.** Within 30 days after
appointment of all members, the Commissioner of Transportation
42 shall call and convene the first meeting of the commission. The
commission shall select a chair from among its members.
44 Additional meetings may be called by the chair or by a majority
of commission members.

46 **4. Compensation.** Commission members serve without per diem
48 and expenses.

50 **5. Staffing.** The Department of Transportation shall

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2 provide the commission with staffing and clerical support from
within existing resources.

4 **6. Report.** The commission shall submit its findings and
6 recommendations to the joint standing committee of the
Legislature having jurisdiction over transportation matters by
8 January 15, 1999. The joint standing committee of the
Legislature having jurisdiction over transportation matters is
10 authorized to report out legislation during the First Regular
Session of the 119th Legislature regarding the establishment of a
12 public authority to develop rail service between Calais, Eastport
and Brewer.'

14 Further amend the bill by inserting at the end before the
summary the following:

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FISCAL NOTE

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The additional costs associated with participating as a
20 member of and providing staffing and clerical assistance to the
Commission to Study Establishing a Rail Authority to Develop Rail
22 Service from Calais to Eastport and Brewer can be absorbed by the
Department of Transportation utilizing existing budgeted
24 resources.'

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SUMMARY

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The amendment replaces the bill. It creates the Commission
30 to Study Establishing a Rail Authority to Develop Rail Service
from Calais to Eastport and Brewer. The commission must study
32 the potential uses of rail service from Calais to Eastport and
Brewer along existing railroad rights-of-way owned by the State.
34 It must also make projections as to the volume of traffic along a
developed railway, estimate the costs of developing the
36 rights-of-way and review methods of funding and implementing the
development of the rights-of-way. The commission must also make
38 recommendations regarding whether a public authority should be
established to fund and implement the development of the
40 rights-of-way. The commission must report to the joint standing
committee of the Legislature having jurisdiction over
42 transportation matters by January 15, 1999. It also adds a
fiscal note to the bill.

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