

# MAINE STATE LEGISLATURE

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MC  
ROB'S

L.D. 247

Date: 6/2/15

(Filing No. H-254)

Majority  
TRANSPORTATION

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 179, L.D. 247, Bill, "An Act To Create  
Corridor Districts for the Purpose of Funding Transportation and Transit Services"

Amend the bill by striking out everything after the enacting clause and inserting the  
following:

**Sec. 1. 30-A MRSA §3501, sub-§1, ¶¶C and D**, as enacted by PL 1987, c. 737,  
Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8  
and 10, are further amended to read:

C. A municipality voting to provide mass transportation service without the creation  
of a district; ~~and~~

D. A regional transportation corporation, except that sections 3510, 3512 and 3517  
do not apply to a regional transportation corporation; ~~and~~

**Sec. 2. 30-A MRSA §3501, sub-§1, ¶E** is enacted to read:

E. A transportation corridor district, except that section 3502, section 3505, section  
3516, subsections 2 and 3 and section 3517 do not apply to a transportation corridor  
district.

**Sec. 3. 30-A MRSA §3501, sub-§4** is enacted to read:

**4. Transportation corridor district.** "Transportation corridor district" means a  
specified area contiguous with a transportation route or facility that has been formed by a  
municipality or municipalities and approved by the voters as provided under section  
3502-A.

**Sec. 4. 30-A MRSA §3502-A** is enacted to read:

**§3502-A. Formation of a transportation corridor district; powers**

**1. Formation.** A municipality may, in accordance with the requirements of this  
section, by itself or in cooperation with one or more other municipalities, form a  
transportation corridor district for the purposes of funding public transportation and

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1 accessibility needs, including passenger rail, ferry, bus, bicycle and pedestrian facilities  
2 and routes, and promoting economic development at transportation station areas and in  
3 downtown areas. A municipality or group of municipalities shall select the borders of the  
4 transportation corridor district. The transportation corridor district may include the entire  
5 municipality or group of municipalities or a portion of the municipality or portions of the  
6 municipalities but must encompass an existing or proposed transportation corridor.

7 **2. Notice and hearing.** Before forming a transportation corridor district, the  
8 municipality or group of municipalities shall hold at least one public hearing on the  
9 proposed transportation corridor district in the municipality or in each of the participating  
10 municipalities. Notice of the hearing must be published at least 10 days before the  
11 hearing in a newspaper of general circulation within the municipality or municipalities  
12 and on each participating municipality's publicly accessible website if that municipality  
13 has a publicly accessible website. The municipality or group of municipalities shall  
14 provide notification of the public hearing to all property owners whose property lies  
15 within the borders of the proposed transportation corridor district by first-class mail. The  
16 municipality or group of municipalities shall provide notification of the public hearing to  
17 adjoining municipalities and the Department of Transportation of its proposed  
18 transportation corridor district and may coordinate borders with other municipalities  
19 along the transportation corridor.

20 **3. Voter approval.** The formation of a transportation corridor district must be  
21 approved by a voter referendum in each participating municipality.

22 **4. General powers; area of service.** A transportation corridor district formed under  
23 this section is a body politic and corporate and may sue, be sued, plead and be impleaded,  
24 adopt a name, adopt and alter a common seal and do all things necessary to furnish  
25 transportation within that district, including charter service, for public purposes in the  
26 interest of the health, safety, comfort and convenience of the inhabitants of the  
27 municipality or municipalities comprising the district.

28 **5. Incidental rights.** All incidental powers, rights and privileges necessary to  
29 accomplish the main objective set forth in this chapter are granted to a transportation  
30 corridor district formed under this section. Such a district is subject to the jurisdiction of  
31 the Public Utilities Commission only to the extent provided in this chapter.

32 **Sec. 5. 30-A MRSA §3503,** as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C,  
33 §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed  
34 and the following enacted in its place:

35 **§3503. Addition to or modification of a district**

36 **1. Application for membership to a district.** A municipality that is contiguous to  
37 any other municipality authorized to provide transportation services under this chapter or  
38 contiguous to any municipality that is a member of a transit district may apply to the  
39 transit district for membership, and the board of directors may accept or refuse the  
40 application for membership.

41 **2. Modification of borders of a transportation corridor district.** The board of  
42 directors, with approval from all municipalities in the transportation corridor district, may  
43 change the borders of a transportation corridor district.

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1        3. Joining a transportation corridor district. A municipality with an existing or  
2        proposed transportation corridor connecting to an established transportation corridor  
3        district may apply to join the transportation corridor district. The municipality applying to  
4        join an established transportation corridor district must receive approval by a majority of  
5        voters within the municipality. The board of directors of the established transportation  
6        corridor district, with approval from all municipalities in the district, may approve the  
7        municipality's application by a majority vote.

8        **Sec. 6. 30-A MRSA §3504, first ¶,** as enacted by PL 1987, c. 737, Pt. A, §2 and  
9        Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
10       further amended to read:

11       The affairs of a district formed under section 3502 ~~shall~~ or 3502-A must be managed  
12       by a board of directors chosen from the inhabitants of the municipality or municipalities  
13       comprising the district.

14       **Sec. 7. 30-A MRSA §3504, sub-§2,** as enacted by PL 1987, c. 737, Pt. A, §2 and  
15       Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
16       further amended to read:

17       **2. Appointment; terms; quorum.** The municipal officers of each municipality  
18       shall appoint the directors of a transit district. Initially, the directors' terms of office ~~shall~~  
19       must be determined by lot at their first organizational meeting as follows: One-third of  
20       those appointed shall serve for 3 years, 1/3 for 2 years and the remaining number for one  
21       year. All subsequent appointments are for a term of 3 years. Directors ~~shall~~ serve until  
22       their successors have been appointed, with vacancies being filled for the unexpired  
23       portion of the respective terms.

24       A majority of the directors constitutes a quorum for the transaction of business. Action  
25       taken by 2/3 of the directors present at any meeting at which a quorum is in attendance is  
26       considered to be the action of the full board of directors.

27       **Sec. 8. 30-A MRSA §3512, sub-§2,** as enacted by PL 1987, c. 737, Pt. A, §2 and  
28       Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
29       further amended to read:

30       **2. Notes and securities authorized.** For accomplishing the purposes of this chapter  
31       and for paying any indebtedness and any necessary expenses and liabilities incurred for  
32       that purpose, including organizational and other necessary expenses, ~~the a district, except~~  
33       for a transportation corridor district, by vote of its board of directors, or a transportation  
34       corridor district, if approved by voter referendum in each municipality participating in the  
35       transportation corridor district, may:

36       A. Borrow money temporarily and issue its negotiable notes for that money; and

37       B. From time to time, issue securities of the district in one series or in separate series  
38       in such amount or amounts, bearing interest at such rate or rates and having such  
39       terms and provisions as the board of directors determines. These securities may be  
40       issued with or without provision for calling the securities before maturity and, if  
41       callable, may be made callable at par or at any premium determined by the board of  
42       directors. The board of directors may from time to time issue its securities in one

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1 series or in separate series for the purpose of paying, redeeming or refunding  
2 outstanding securities.'

3 SUMMARY

4 This amendment, which is the majority report, strikes and replaces the concept draft.  
5 The amendment provides for the formation of transportation corridor districts within the  
6 current law relating to transit districts and regional transportation corporations. The  
7 amendment provides that a municipality may, by itself or in cooperation with one or more  
8 other municipalities, form a transportation corridor district for the purposes of providing  
9 an environment to fund public transportation and accessibility needs, including passenger  
10 rail, ferry, bus, bicycle and pedestrian facilities and routes, and promoting economic  
11 development at transportation station areas and in downtown areas.

12 The amendment requires a municipality or group of municipalities to select the  
13 borders of the transportation corridor district. The amendment requires that the formation  
14 of a transportation corridor district be approved by a voter referendum in each  
15 participating municipality. The amendment authorizes a district's board of directors, with  
16 approval from all municipalities in the district, to change the borders of the district. The  
17 amendment also provides that a transportation corridor district, if approved by voter  
18 referendum in each municipality participating in the district, may borrow money  
19 temporarily and issue its negotiable notes for that money and issue securities of the  
20 district.