

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 724

S.P. 241

In Senate, February 28, 2017

An Act To Amend the Laws Governing the State's Rail Authority

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative GOLDEN of Lewiston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 23 MRSA §8013** is enacted to read:

3 **§8013. Passenger rail advisory council**

4 The passenger rail advisory council within the Department of Transportation shall
5 meet 4 times a year and shall serve as a public forum for input on passenger rail planning
6 and provide the public with updates on the operational, capital and financial structure of
7 passenger and freight railroad operations in the State.

8 **Sec. 2. 23 MRSA §8116**, as enacted by PL 1995, c. 374, §3, is amended to read:

9 **§8116. Report to the Legislature; departmental review**

10 **1. Annual report.** Beginning January 1, 1996, on an annual basis, the authority
11 shall present its report ~~to the Legislative Council and send copies to a joint meeting of the~~
12 ~~joint standing committee of the Legislature having jurisdiction over transportation matters~~
13 ~~and the Commissioner of Transportation joint standing committee of the Legislature~~
14 ~~having jurisdiction over appropriations and financial affairs.~~ The report shall ~~must~~
15 include a description of the authority's activities for the preceding fiscal year, including a
16 report of its receipts and expenditures from all sources.

17 **2. Operating budget.** ~~Beginning January 31, 1996, on an annual basis, the authority~~
18 ~~shall present the operating budget of the authority for the next fiscal year beginning July~~
19 ~~1st to the Commissioner of Transportation for approval. The authority may only make~~
20 ~~expenditures in accordance with allocations approved by the commissioner. Any balance~~
21 ~~of an allocation that at any time may not be required for the purpose named in that~~
22 ~~allocation may be transferred at any time prior to the closing of the books to any other~~
23 ~~allocation for the use of the authority for the same fiscal year subject to review and~~
24 ~~approval by the commissioner. Fiscal statements describing a transfer must be submitted~~
25 ~~by the authority to the commissioner 30 days before the transfer is to be implemented.~~
26 ~~These fiscal statements must include information specifying the accounts that are~~
27 ~~affected, amounts to be transferred, a description of the transfer and a detailed~~
28 ~~explanation as to why the transfer is needed.~~

29 **3. Appropriation.** On or before January 31st of each year, the authority shall
30 present to each regular session of the Legislature for its approval the authority's revenue
31 fund budget for the calendar year that begins after the adjournment of that regular session
32 and shall present to each regular session of the Legislature for informational purposes a
33 statement of the revenues necessary during the next calendar year to fund capital
34 expenditures and reserves and to meet the requirements of any resolution authorizing
35 bonds of the authority, including debt service and the maintenance of reserves for debt
36 service and reserve maintenance. The authority shall present a detailed budget of
37 expenditures from the authority's reserve maintenance fund for the next calendar year and
38 shall include cross-references to show the total of similar expense categories that are paid
39 from both the revenue and reserve maintenance funds. The authority may only pay
40 revenue fund operating expenses in accordance with allocations approved by the
41 Legislature or as necessary to satisfy the requirements of any resolution authorizing

1 bonds of the authority. If alterations to the authority's revenue fund budget are needed,
2 they must be reported by financial order to the joint standing committee of the Legislature
3 having jurisdiction over transportation matters.

4 **Sec. 3. 23 MRSA §8121** is enacted to read:

5 **§8121. Public input**

6 The authority shall hold timely and appropriate forums for public input and vetting of
7 projects determined by the Commissioner of Transportation to be significant projects
8 throughout the project selection, design and implementation processes.

9 **SUMMARY**

10 This bill transfers the budget approval authority for the Northern New England
11 Passenger Rail Authority from the Department of Transportation to the Legislature. It
12 requires the authority to present its annual report to a joint meeting of the joint standing
13 committee of the Legislature having jurisdiction over transportation matters and the joint
14 standing committee of the Legislature having jurisdiction over appropriations and
15 financial affairs. It also requires the authority to hold timely and appropriate forums for
16 public input and vetting of significant projects throughout the project selection, design
17 and implementation processes. Finally, the bill directs the passenger rail advisory council
18 within the Department of Transportation to meet 4 times a year and to serve as a public
19 forum for input on passenger rail planning and provide the public with updates on the
20 operational, capital and financial structure of passenger and freight railroad operations in
21 the State.