

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1796

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H.P. 1337

House of Representatives, December 9, 2021

### An Act To Coordinate Marine Port Development

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Submitted by the Department of Transportation pursuant to Joint Rule 203.

Received by the Clerk of the House on December 7, 2021. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MARTIN of Sinclair.  
Cosponsored by Senator FARRIN of Somerset.

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

2 **Sec. 1. 23 MRSA §4420, first ¶**, as amended by PL 1999, c. 753, §4, is further  
3 amended to read:

4 The Maine Port Authority, as established by Title 5, section 12004-F, subsection 8, is  
5 a body both corporate and politic in the State established for the general purpose of  
6 acquiring, financing, constructing and operating any kind of marine port terminal facility  
7 and railroad facility that directly supports marine port operations within the State in  
8 coordination with the Department of Transportation with all the rights, privileges and  
9 ~~power~~ powers necessary. Oil pipelines and other oil off-loading facilities are limited to sites  
10 in Portland and Searsport harbors.

11 **Sec. 2. 23 MRSA §4423, sub-§3**, as amended by PL 1993, c. 649, Pt. J, §3, is  
12 further amended to read:

13 **3. Money received.** All money received from any bonds issued must be applied solely  
14 for the establishment, acquisition or effectuation of marine port terminal facilities, railroad  
15 facilities that directly support marine port operations and things incidental ~~thereto~~ to those  
16 facilities, for the construction of proposed facilities, improvement of existing or acquired  
17 facilities and the fulfillment of other undertakings that are within the power of the authority.  
18 There is created a lien upon the money until so applied in favor of the bondholders or any  
19 trustee as may be provided in respect of the bonds.

20 **Sec. 3. 23 MRSA §4428**, as enacted by PL 1997, c. 643, Pt. AA, §2, is amended to  
21 read:

22 **§4428. ~~Statewide transportation infrastructure strategy~~ Funds received to support**  
23 **marine port linkages**

24 Notwithstanding any other provision of this subchapter, funds ~~repaid~~ paid to the Maine  
25 Port Authority as a result of state investments or loans for the ~~redevelopment~~ development  
26 of ~~Maek Point~~ marine port terminal facilities may be used by the Maine Port  
27 Authority, in cooperation with the Department of Transportation, to undertake projects that  
28 link the State's marine ports and rail systems with the transportation infrastructure  
29 ~~throughout the State~~ to freight networks within the State.

30 **Sec. 4. 23 MRSA §4429**, as enacted by PL 2001, c. 439, Pt. LLLL, §1, is amended  
31 to read:

32 **§4429. Marketing program**

33 The Maine Port Terminal Facilities Marketing Program is established to encourage and  
34 promote business opportunities for ~~Eastport's~~ marine port terminal facility ~~facilities~~  
35 developed by the Maine Port Authority or the Department of Transportation. The Maine  
36 Port Authority shall develop and implement the marketing program. The authority may  
37 enter into agreements or cooperative arrangements with any person or entity for the purpose  
38 of increasing the use of ~~Eastport's~~ marine port terminal facility ~~facilities~~ developed by the  
39 Maine Port Authority or the Department of Transportation. The authority may receive,  
40 administer and disburse funds, either independently or in conjunction with state funds  
41 allocated for the purpose, ~~provided that~~ as long as funds so contributed ~~must be~~ are  
42 used only for the purpose of marketing and economic development programs.



1           6. It requires the Maine Port Authority to submit certain fiscal matters to the  
2 Department of Transportation for approval.