

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

Provides funds to employ a part-time executive secretary and clerical assistant.

Sec. 6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
<u>FINANCE AND ADMINISTRATION,</u>		
<u>DEPARTMENT OF</u>		
Bureau of Taxation		
All Other	\$2,000	\$2,000

Effective September 19, 1985.

CHAPTER 442

H.P. 1138 - L.D. 1644

AN ACT to Provide for Cost Sharing for Maintenance of Railroad Grade and Highway Bridge Crossings and the Allocation and Appropriation of Funds for Transportation Purposes.

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

Sec. 1. 23 MRSA §2930 is enacted to read:

§2930. Partial reimbursement of cost

Notwithstanding any other provision of law, the State, by or through the Department of Transportation, shall reimburse railroad corporations up to 50% of the cost, incurred by those corporations, of the maintenance of public at-grade railroad-highway crossings, crossing protection devices, including, automatic signals, gates and crossbucks and grade separation structures carrying the highway over the railroad.

For the purpose of this section, public at-grade crossings shall be those crossings determined by the Commissioner of Transportation to be public crossings.

An annual contract shall be entered into between the State and each railroad corporation to provide a single one-time payment. The payment shall be based on the 1983 average maintenance cost, adjusted biennially by application of the United States Bureau of Labor Statistics Consumer Price Index, "All Items, All Urban Consumers," for public at-grade crossings multiplied by the number of the crossings on each railroad in the State and the 1983 average maintenance cost, adjusted biennially by application of the United States Bureau of Labor Statistics Consumer Price Index, "All Items, All Urban Consumers," for eligible grade separation structures multiplied by the number of those structures on each railroad in the State.

Each participating railroad corporation shall submit an annual report to the department describing in general terms its public grade crossing and highway over the railroad grade separation structure maintenance program indicating the total costs incurred, total quantities of material used and man hours used. The department may review records and supporting data of the costs incurred by the railroad corporations.

Sec. 2. Allocation. The following funds are allocated from the Highway Fund to carry out the provisions of section 1.

	<u>1985-86</u>	<u>1986-87</u>
Railroad Assistance Program		
All Other	\$1,100,000	\$1,420,000

Funds to be used by the Department of Transportation only to reimburse railroad corporations up to 50% of the cost incurred by those corporations in the items listed in section 1 of this Act. In the event that any of the 4 re-

lated legislative documents, informally referred to as the "Rail Policy Plan," should fail to be enacted by the First Regular Session of the 112th Legislature and the bond issue fails to be ratified by the voters, the funds allocated in this Act shall lapse to the Highway Fund, and the provisions of this Act shall not become effective.

Effective September 19, 1985.

CHAPTER 443

S.P. 214 - L.D. 572

AN ACT to Amend the Maine Certificate of Need Act to Clarify the Provision to Mutually Extend the Review Period for Certificate of Need Review and to Make the Reconsideration Hearing Optional and Establish a Time Limit for Decisions After a Reconsideration Hearing.

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

Sec. 1. 22 MRSA §307, sub-§3, as enacted by PL 1977, c. 687, §1, is repealed and the following enacted in its place:

3. Reviews. To the extent practicable, a review shall be completed and the department shall make its decision within 90 days after the date of notification under subsection 1. The department shall establish criteria for determining when it is not practi-