

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND SPECIAL SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

the bureau pertaining to safety promulgated under section 2707. For the purpose of this section, the term subsidies includes assistance that is provided by the State Government, municipal government or Federal Government that is used for purposes of planning to offset operating losses or to acquire capital equipment.

The exemptions provided in this subsection apply to any nonresident owner or operator of any motor vehicle to the extent that the state, district or country of residence grants the same or similar privileges, as identified by the commissioner according to his rule-making authority to residents of this State.

Any sawlogs and pulpwood harvested on lands owned by the State may be transported without the limitations provided by this section where the limitations are based solely on the source of the sawlogs and pulpwood being state-owned lands, if, for lands administered by the Department of Conservation, the Commissioner of Conservation consents to the transport; or, for lands administered by the Baxter State Park Authority, the authority consents to the transport. Such consent shall be given where it is necessary to avoid severe economic hardship or to avoid the disruption of land management plans.

Sec. 9. 29 MRSA §2709, sub-§2, as enacted by PL 1981, c. 469, §2, is repealed.

Sec. 10. 29 MRSA §2709, sub-§3, as amended by PL 1983, c. 696, §2, is repealed.

Effective August 29, 1986, unless otherwise indicated.

CHAPTER 813

H.P. 1754 - L.D. 2437

AN ACT to Establish a Legislative Task Force on Railroads to Study Tax Exemptions and Economic Subsidies to Railroads and the Future of Rail Transportation in Maine and its Effect on the Economic Viability and Stability of the State.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is vitally necessary to initiate a study of the role of Maine's railroads and their relationship to the State's economy; and

Whereas, this is a critical period for the railroad industry in the State of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 23 MRSA §2930, as enacted by PL 1985, c. 442, §1, is amended by adding at the end a new paragraph to read:

For any railroad line or right-of-way which has been abandoned, or for which proceedings to authorize abandonment are pending, and which the Department of Transportation has indicated that it desires to purchase or lease pursuant to section 4207 or any other law, the commissioner shall cause an allocable share of funds otherwise payable to the abandoning railroad corporation under this section to be deposited in an escrow account, to be used to defray the purchase or lease of the abandoned line or right-of-way.

Sec. 2. Legislative Task Force on Railroads.

1. Task force created; membership; compensation; meetings. There is established a Legislative Task Force on Railroads to be composed of 3 Senators to be appointed by the President of the Senate and 10 members of the House of Representatives to be appointed by the Speaker of the House. Membership on the task force shall include, at a minimum, representatives from the joint standing committees of the Legislature having jurisdiction over taxation, transportation, appropriations and financial affairs and labor. Appointments to the task force shall be made using the same procedures currently utilized to appoint members to joint standing committees of the Legislature. The task force shall select a chairman from among its

members. The chairman of the Legislative Council shall convene the first meeting. Members of the task force shall not receive any per diem compensation, but shall be compensated for their expenses. The task force shall meet no more than 6 times. Staff assistance shall be requested from the Legislative Council.

2. Scope of study; powers. The purpose of the study is to identify the most efficient role to be played by the State in retaining and enhancing rail transportation in this State by focusing on the practices of the railroad industry and the industry's relationship to the State. The task force shall review all economic incentives established by law applying to railroads in Maine and examine possible additional subsidies or tax exemptions, determine how the money saved through these incentives is currently being used, determine whether these incentives are being abused, determine whether special accounting procedures are necessary to fairly calculate these incentives, determine whether certain restrictions or conditions are necessary for these or future incentives, study the subsidization policies of other states, examine the status of short-line operators in the State, determine whether industry practices are contributing to the drop in tonnage on certain rail lines, examine the problems surrounding the State's attempt to purchase certain rail lines with funds from the bond issue approved by referendum, examine how the ongoing labor dispute at Maine Central Railroad has affected Maine businesses and examine all real estate holdings of Maine railroads and the valuation of those holdings.

The committee may hold hearings in the course of its study and, in connection with those hearings, administer oaths and receive evidence. The committee may require by subpoena the attendance and the testimony of witnesses and the production of papers, records or other documentary evidence.

3. Report. The task force shall submit its report, together with any necessary legislation, to the Legislature prior to January 1, 1987.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

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Legislative Task Force on Railroads	
All Other	\$10,000
Provides funds for	
the meeting, print-	
ing and miscella-	
neous expenses of	
the task force.	

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 3, 1986.

CHAPTER 814

H.P. 1755 - L.D. 2438

AN ACT Making Appropriations from the General Fund and Changing Certain Provisions of Law Necessary for the Operation of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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