

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Division of Motor Vehicles

An amount not to exceed \$1,000,000 from any available surplus funds in the Division of Motor Vehicles as of June 30, 1988 shall not lapse, but shall be carried forward and is hereby allocated to be used for preliminary Division of Motor Vehicles' building construction — related items such as land acquisition, architectural design and permit application and processing expenditures in fiscal year 1988-89.

Administration — Motor Vehicles

Capital Expenditures	(\$750,000)
Unallocated	750,000

Transfers funds allocated for the purchase of a computer hardware system into unallocated reserve. These funds shall only be allotted in an amount sufficient to make up the difference between the surplus carried forward from fiscal year 1988 for preliminary Division of Motor Vehicles' building construction-related items and the \$1,000,000 required for these purposes.

DEPARTMENT OF SECRETARY OF STATE	
TOTAL	\$ 0

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect May 1, 1988.

Effective May 1, 1988.

CHAPTER 794

H.P. 1747 — L.D. 2396

AN ACT to Create the Railroad Preservation and Assistance Act and to Provide for Annual Track Inspections.

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

Sec. 1. 23 MRSA c. 615 is enacted to read:

CHAPTER 615

STATE RAILROAD PRESERVATION AND ASSISTANCE ACT

§7101. Short title

This chapter shall be known and may be cited as the "State Railroad Preservation and Assistance Act."

§7102. Findings of fact

The Legislature makes a finding of fact that a viable and efficient rail transportation system is necessary to the economic well-being of the State.

The Legislature makes a further finding of fact that the State must take active steps to protect and promote rail transportation in order to further the general welfare.

§7103. Railroad Preservation and Assistance Fund

1. Fund created. There is created the "Railroad Preservation and Assistance Fund" which shall receive revenue derived from the tax levied pursuant to Title 36, chapter 361, except that no more than \$150,000 from this revenue shall be deposited in the fund in any fiscal year. The fund shall also be eligible to receive grants from other sources. The Treasurer of State shall receive and deposit all revenue to the fund in a separate account to be known as the Railroad Preservation and Assistance Fund.

2. Legislative approval of budget. Expenditures from the Railroad Preservation and Assistance Fund are subject to legislative approval in the same manner as appropriations from the General Fund.

3. Use of funds. Subject to the Civil Service Law, money in the fund may be expended to hire employees and to defray other costs authorized by law for the Department of Transportation, Bureau of Transportation Services as follows:

A. To conduct studies relating to the economic impact of rail transportation on the State including cost-benefit analyses associated with the possible retention or loss of individual rail lines;

B. To conduct periodic condition surveys of rail track and other related facilities; and

C. To acquire, lease and maintain rail lines when these actions are determined to be in the best interest of the State.

4. Balance carried forward. Any balance in the fund in excess of that required for the purposes of this section shall not lapse, but shall be carried forward. Any allocation of this balance shall be identified as to source.

5. Other fund sources. The fund may accept funds from the Federal Rail Administration in carrying out the provisions of this chapter.

Sec. 2. Allocation. The following funds are allocated from the Railroad Preservation and Assistance Fund to carry out the purposes of this Act.

1988-89

TRANSPORTATION, DEPARTMENT OF

Railroad Assistance Program	
All Other	\$150,000
Provides funds to conduct studies and surveys and other purposes specified in the Maine Revised Statutes, Title 23, section 7103, subsection 3.	

Effective August 4, 1988.