

MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

(Committee Report)

<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	<u>DISPOSITION</u>
2160	AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ASSUME RESPONSIBILITY FOR 100% OF THE MAINTENANCE AND OPERATION COSTS OF THE CARLETON BRIDGE BETWEEN BATH AND	Danton	OTP-ND See LD 2392

SUMMARY: LD 2160 proposed that the State of Maine finance all of the maintenance and operation costs of the Carleton Bridge over the Kennebec River that presently are the responsibility of the Maine Central Railroad. The Carleton River Bridge, which is both a highway and a railway bridge, and owned by the State, contains an easement or right-of-way for the Maine Central Railroad. The Maine Central Railroad (MCR) would like to abandon the route which includes the Carleton Bridge because the railroad traffic along the route no longer makes it a profitable operation. LD 2160 proposed to finance the cost of the bill by a \$100,000 appropriation from the General Fund and a \$150,000 allocation from the Highway Fund.

The committee was concerned about the precedent established by the bill and the question of using highway fund monies for non-highway use. The Attorney General's office pointed out that the constitution in Article IX, @19 restricts highway funds..."to the cost of construction, reconstruction, maintenance, and repair of public highways and bridges under the direction and supervision of a State department having jurisdiction over such highways and bridges...." In the opinion of the Attorney General's office the State owned Carleton Bridge met the conditions of the Constitution and LD 2160 would not violate the Constitution.

The Department of Transportation pointed out that the purpose of the bill was to buy time, possible 2 years, before the Maine Central Railroad filed with the ICC to abandon the route. The purpose of buying time, is to evaluate the railroad traffic business, particularly with the regeneration of the Old Martin-Marietta plant (Thomaston) by Ciambro Corporation and the Central Maine Power Company's evaluation of a coal fired energy production system which could use unit trains.

The Railroad employees were concerned about salaries and fringe benefits with the state's assumption of the maintenance and operation of the railroad. Under the personnel law, the Department of Transportation could pay no more than roughly \$6.00 per hour compared to current MCR employee wages in excess of \$13.00 per hour.

The Committee passed the bill in a new draft, LD 2392, which address the concerns about railroad employees.