

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing the State's Rail Authority

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

Sec. 1. 23 MRSA §8013 is enacted to read:

§ 8013. Passenger rail advisory council

The passenger rail advisory council within the Department of Transportation shall meet 4 times a year and shall serve as a public forum for input on passenger rail planning and provide the public with updates on the operational, capital and financial structure of passenger and freight railroad operations in the State.

Sec. 2. 23 MRSA §8116, as enacted by PL 1995, c. 374, §3, is amended to read:

§ 8116. Report to the Legislature; departmental review

1. Annual report. ~~Beginning January 1, 1996, on an annual basis, the authority shall present its report to the Legislative Council and send copies to a joint meeting of the joint standing committee of the Legislature having jurisdiction over transportation matters and the Commissioner of Transportation joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. The report shall~~must include a description of the authority's activities for the preceding fiscal year, including a report of its receipts and expenditures from all sources.

2. Operating budget. ~~Beginning January 31, 1996, on an annual basis, the authority shall present the operating budget of the authority for the next fiscal year beginning July 1st to the Commissioner of Transportation for approval. The authority may only make expenditures in accordance with allocations approved by the commissioner. Any balance of an allocation that at any time may not be required for the purpose named in that allocation may be transferred at any time prior to the closing of the books to any other allocation for the use of the authority for the same fiscal year subject to review and approval by the commissioner. Fiscal statements describing a transfer must be submitted by the authority to the commissioner 30 days before the transfer is to be implemented. These fiscal statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.~~

3. Appropriation. On or before January 31st of each year, the authority shall present to each regular session of the Legislature for its approval the authority's revenue fund budget for the calendar year that begins after the adjournment of that regular session and shall present to each regular session of the Legislature for informational purposes a statement of the revenues necessary during the next calendar year to fund capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the authority, including debt service and the maintenance of reserves for debt service and reserve maintenance. The authority shall present a detailed budget of expenditures from the authority's reserve maintenance fund for the next calendar year and shall include cross-references to show the total of similar

expense categories that are paid from both the revenue and reserve maintenance funds. The authority may only pay revenue fund operating expenses in accordance with allocations approved by the Legislature or as necessary to satisfy the requirements of any resolution authorizing bonds of the authority. If alterations to the authority's revenue fund budget are needed, they must be reported by financial order to the joint standing committee of the Legislature having jurisdiction over transportation matters.

Sec. 3. 23 MRSA §8121 is enacted to read:

§ 8121. Public input

The authority shall hold timely and appropriate forums for public input and vetting of projects determined by the Commissioner of Transportation to be significant projects throughout the project selection, design and implementation processes.

SUMMARY

This bill transfers the budget approval authority for the Northern New England Passenger Rail Authority from the Department of Transportation to the Legislature. It requires the authority to present its annual report to a joint meeting of the joint standing committee of the Legislature having jurisdiction over transportation matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. It also requires the authority to hold timely and appropriate forums for public input and vetting of significant projects throughout the project selection, design and implementation processes. Finally, the bill directs the passenger rail advisory council within the Department of Transportation to meet 4 times a year and to serve as a public forum for input on passenger rail planning and provide the public with updates on the operational, capital and financial structure of passenger and freight railroad operations in the State.