

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. _____ 27 FY 04/05
DATE _____ December 20, 2004

**AN ORDER INCREASING THE COORDINATION OF STATE GOVERNMENT'S
PASSENGER TRANSPORTATION SECTOR**

WHEREAS, the President of the United States issued an Executive Order on Human Service Transportation, #13330, ordering the establishment of the Interagency Coordinating Council on Access and Mobility; and

WHEREAS, Maine has demonstrated its leadership in coordinating passenger transportation resources since enacting 23 M.R.S.A. § 4209 in 1979, which authorizes passenger transportation regions and designates a regional planning process; and

WHEREAS, following the United States Supreme Court's *Olmstead v. L.C.* decision in 1999, which clarified that states are required to provide services and treatment to individuals with disabilities in the least restrictive setting appropriate to their needs, the Commissioners for the Maine Departments of Transportation (DOT), Health and Human Services (DHHS), and Labor (DOL) have accepted the transportation recommendations in Maine's *Olmstead* Response Plan Roadmap; and

WHEREAS, in 1993, the Commissioners of the former Departments of Human Services and Mental Health and Mental Retardation joined with the DOT to further strengthen their collaboration in Maine by issuing a Memorandum of Understanding, which reinforced their Agencies' commitment to coordination:

NOW, THEREFORE, I, JOHN E. BALDACCI, Governor of the State of Maine, do hereby order and direct as follows:

1. Continued collaboration among Departments

- a. The DHHS, the DOT, and the DOL, and other appropriate agencies shall continue to regularly collaborate to improve the overall coordination of passenger transportation.
- b. These Departments shall join to form an ongoing Interagency Transportation Coordinating Committee whose purpose will be to regularly coordinate the efforts of each agency as follows: (1) to improve methods of delivery of passenger

transportation; (2) to be more effective and financially efficient; and (3) to improve universal mobility for Maine citizens and visitors. Appointed representatives from these Departments shall represent the policy and operational levels of their organizations.

- c. The DOT, with the assistance of the DHHS and the DOL, shall enhance its Biennial Operations Plan by gathering information, making recommendations for enhanced services, and promoting greater access to all potential users of publicly funded passenger transportation in order to improve the mobility of Maine's citizens and visitors. This shall be undertaken on a regional level and include the participation of individuals without access to transportation.
- d. This Committee shall promote public education about the availability and use of passenger transportation in Maine and provide this information to all Departments and to the general public.
- e. As their first order of business, the Departments shall create a Strategic Plan that will guide their work for the next five years. The Strategic Plan shall be updated every five years.
- f. The lead agency for supporting the effort of this Committee and responding to the various Federal initiatives, such as "United We Ride," is the DOT. The DOT is eligible to receive funds for these efforts. The DOT's efforts shall be aided by the DHHS and the DOL.

2. Report on progress and make recommendations for change

By **January 31st** of the Second Regular Session of the 122nd Legislature and every succeeding Legislature thereafter, the Committee shall compile and present a report to the Governor for the eventual presentation to the Joint Standing Committees on Transportation, Appropriations and Financial Affairs, Labor, and Health and Human Services. The Report shall

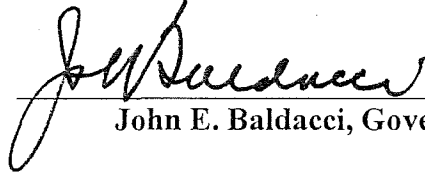
- reflect the prior years' efforts and accomplishments at coordination;
- relate the present condition of passenger transportation in Maine, taking into account the demand, capacity, and availability of the service, cost of service, consumer satisfaction, and barriers to coordination;
- evaluate the physical condition and capacity of the fleet of accessible vehicles and the amount of service available;
- include recommendations for improving the delivery of service, preventing the need for more expensive service, and investing and planning for the future; and
- outline the staff resources necessary to carry out the Committee's recommendation for coordinating accessible passenger transportation in the State of Maine.

Costs of Implementation:

The costs for implementing the tasks included in this Executive Order will be offset by the savings produced or will be absorbed by the implementing agencies.

Effective Date:

This Executive Order is effective immediately.



John E. Baldacci, Governor