

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO: 1397

H.P. 1039 House of Representatives, April 30, 1987
Reported by Representative MACOMBER from the Social
Services Transportation Review Committee pursuant to Resolves
1985, Chapter 46
Reference to the Joint Standing Committee on
Transportation suggested and printing ordered under Joint Rule
18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Implement the Recommendations of
2 the Social Services Transportation
3 Review Committee.
4

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

7 Sec. 1. 23 MRSA §4209, sub-§§1 and 2, as amended
8 by PL 1981, c. 493, §2, are further amended to read:

9 1. Geographic regions. The Department of Trans-
10 portation shall divide the State into a number of ge-
11 ographic regions for regional distribution of state
12 administered transportation funds. Upon designation
13 of the geographic regions ~~and every year thereafter~~,
14 a regional public transportation agency shall be se-
15 lected from each region to formulate ~~an annual~~ a
16 biennial regional operations plan. Selection shall

1 be by the Department of Transportation with the con-
2 sent of the Departments of Human Services and Mental
3 Health and Mental Retardation. The Department of
4 Transportation shall establish a schedule for
5 submittal of the biennial regional operations plan
6 and shall reference these plans in its biennial
7 transportation improvement plan submitted to the Leg-
8 islature.

9 2. Biennial regional operations plan. The ~~annual~~
10 biennial regional operations plan submitted by each
11 regional public transportation agency shall provide
12 for the following:

13 A. Maximum feasible coordination of funds among
14 all state agencies that sponsor transportation in
15 the district region;

16 B. Development and maintenance of a permanent
17 and effective public transportation system, with
18 particular regard to low income, elderly and
19 handicapped residents;

20 C. Participation of private transit operators in
21 the service, to the greatest extent possible; and

22 D. Conformity with general operations require-
23 ments as may be prescribed by the commissioner.

24 In years in which no biennial plan is required,
25 amendments to the effective operations may be submit-
26 ted. Approval of each regional operations plan shall
27 be by the Department of Transportation with the con-
28 sent of the Departments of Human Services and Mental
29 Health and Mental Retardation. Upon approval, all
30 agencies, groups or organizations named to partici-
31 partate in the provision of service in accordance with
32 a regional operations plan shall become eligible to
33 receive funds administered by the Department of
34 Transportation.

35 **Sec. 2. 23 MRSa §4209, sub-§3, as amended by PL**
36 **1985, c. 174, Pt. E, is further amended to read:**

37 3. State assistance. Within the limits of avail-
38 able funding, the department shall provide assistance
39 as follows:

1 A. Planning and technical assistance, informa-
2 tion transfer, capital and operations planning,
3 performance monitoring and evaluation, quality
4 assurance, accounting, assistance with management
5 information systems and service reporting to a
6 regional operations plan drafter or transporta-
7 tion provider and securing of provider compliance
8 with the requirements of other state agencies in
9 these areas;

10 A-1. Act as mediator and, if necessary, final
11 arbiter of disputes between state agencies and
12 transportation providers regarding service;

13 B. Capital assistance to transportation
14 providers for up to 1/2 of the nonfederal share
15 required by federal assistance programs;

16 C. Operating assistance to transportation
17 providers in an amount up to 1/2 of the operating
18 deficit incurred in fulfillment of the annual
19 biennial regional operations plan; and

20 D. Notwithstanding any other provision of law
21 and except as funds are necessary to carry out
22 the object of this section, funds appropriated
23 for public transportation shall not lapse at the
24 end of a fiscal year, but shall be carried for-
25 ward from year to year to be expended for the
26 same purpose.

27 Sec. 3. 23 MRSa §4209, sub-§4, as amended by PL
28 1981, c. 493, §2, is further amended to read:

29 4. Human services assistance; priorities. Liai-
30 son appointed by the Departments of Human Services
31 and Mental Health and Mental Retardation shall act to
32 coordinate purchase of service contracts and serve in
33 an advisory capacity to the department in matters
34 concerning public transportation. In the event that
35 transportation funds for human services' programs are
36 insufficient for full implementation of the human
37 services' portion of an approved annual biennial re-
38 gional operations plan, priorities established by the
39 Departments of Human Services and Mental Health and
40 Mental Retardation shall determine the priority cli-
41 ents that shall be initially served by human ser-

1 vices' funds. Each department and its agents shall
2 actively engage local transportation providers in the
3 planning of new services that are expected to have a
4 transportation component.

5 The Department of Human Services and the Department
6 of Mental Health and Mental Retardation shall assure
7 that any new service to be provided be adequately
8 funded to cover the costs of the transportation com-
9 ponent of the program.

10 Sec. 4. 23 MRSA §4209, sub-§7, as amended by PL
11 1983, c. 812, §144, is repealed.

12 STATEMENT OF FACT

13 The Department of Transportation, Bureau of
14 Transportation Services with the Social Services
15 Transportation Review Committee has completed an ex-
16 tensive study of the public transportation system in
17 Maine. That report and the recommendations of the
18 committee have been submitted to the Legislature pur-
19 suant to Resolve 1985, chapter 46, as amended.

20 This bill implements those recommendations which
21 do not require a state appropriation. They include:

22 1. A change in the planning requirement from an-
23 nual region operations plan to biennial plan;

24 2. An expansion of the authority of the Bureau
25 of Transportation Services to provide technical as-
26 sistance;

27 3. Authority for the division to act as a media-
28 tor and final arbitrator of disputes over service
29 fees;

30 4. A requirement that the social service agen-
31 cies work with transportation providers in developing
32 new services which will require a transportation com-
33 ponent;

34 5. Several housekeeping changes; and

1 6. Deletes the requirement for the Commissioner
2 of Transportation to appoint an advisory committee.

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