

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1121

H.P. 789

House of Representatives, March 13, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

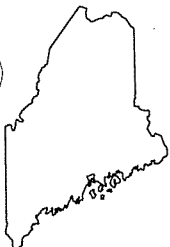
Presented by Representative FARNSWORTH of Hallowell.

Cosponsored by Senator McCORMICK of Kennebec and Representative TREAT of Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Relating to Transportation Planning.



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

2
4 Sec. 1. 23 MRSA §651, as amended by PL 1987, c. 141, Pt. B,
§18, is further amended by adding after the first paragraph 2 new
6 paragraphs to read:

8 The department shall consider and seek to prevent adverse
10 effects of any plan to alter, widen, establish or open any state
12 or state aid highway on the quality of life of affected
14 communities. Any such plan must be consistent with municipal
16 comprehensive plans.

18 Prior to increasing highway capacity through road-building
20 activities, the department shall evaluate the full range of
22 reasonable transportation alternatives and give preference to
24 transportation system management options, demand management
26 strategies, improvements to existing systems and more energy
28 efficient transportation modes.

30 Sec. 2. 23 MRSA §1965, sub-§1, ¶H, as enacted by PL 1981, c.
32 595, §3, is amended to read:

34 H. Charge and collect fees, fares and tolls for the use of
36 the turnpike and other services made available in connection
38 with the turnpike and use the proceeds of such fees, fares
40 and tolls for the purposes provided in this chapter, both as
42 subject to and in accordance with such agreement with
44 bondholders as may be made as provided in this chapter,
46 except that tolls may not be collected at exit 15 of the
48 turnpike, that exit at or near Augusta in Kennebec County or
50 for southbound traffic at exit 14 of the turnpike, that exit
at or near Gardiner in Kennebec County;

34 Sec. 3. 23 MRSA §1973, sub-§3, as enacted by PL 1981, c. 595,
36 §3, is amended to read:

38 3. Tolls. Tolls, or the fixing of tolls, shall may not be
40 considered rulemaking and shall are not be subject to supervision
42 or regulation by any state commission, board or agency. Subject
44 to subsection 4, the authority may fix and revise from time to
46 time tolls for the use of the turnpike and the different parts or
48 sections thereof, and charge and collect the tolls, and contract
50 with any person, partnership, association or corporation desiring
the use of any part thereof, including the right-of-way adjoining
the paved portion; except that tolls may not be collected at exit
15 of the turnpike, that exit at or near Augusta in Kennebec
County or, for southbound traffic, at exit 14 of the turnpike,
that exit at or near Gardiner in Kennebec County. The tolls
shall must be so fixed and adjusted as to provide a fund at least
sufficient with other revenues of the turnpike, if any, to pay
for each fiscal year:

- 2 A. The cost of maintaining, repairing and operating the
4 turnpike, and providing and maintaining reasonable reserves
 therefor;

- 6 B. The bonds and the interest thereon, and all sinking fund
8 requirements, and other requirements provided by the
10 resolution authorizing issuance of the bonds or by the trust
 indenture or loan or a security agreement as they shall
 become due;

- 12 C. Those sums for the purpose of maintaining, constructing
14 or reconstructing access roads or portions thereof as shall
 ~~have-been~~ are requested by the department and as in the sole
16 discretion of the authority are from time to time determined
 in subsection 4, to warrant the expenditure to turnpike
18 revenues; and

- 20 D. The cost of maintaining, constructing or reconstructing
 interchanges.

22 **Sec. 4. Demonstration project.** The Department of
24 Administration, working jointly with the Department of
26 Transportation and the employee organizations certified as the
28 bargaining agents for state employees, shall develop and
30 implement a demonstration project involving the staggering of
32 work hours for state employees to facilitate a smoother traffic
34 flow on the highways and roads leading in and to Augusta. The
36 project must involve staggering the work hours for a sufficient
 number of state employees to evaluate the effectiveness of this
 method in reducing traffic jams and surges in traffic. The
 Commissioner of Administration shall report the results of the
 project to the Joint Standing Committee on Transportation during
 the Second Regular Session of the 115th Legislature no later than
 February 15, 1992.

38 **Sec. 5. Study.** The Commission to Study the Structure and
40 Highway Planning Functions of the Department of Transportation is
 established.

42 1. The study commission shall evaluate the internal
44 structure of the Department of Transportation pertaining to
46 highway planning and placement. The study shall evaluate
 alternative structures and methods that incorporate in the
 planning process:

- 48 A. The prevention of adverse effects on quality of life and
 the integrity of the community affected;

- 50 B. Consistency with existing municipal comprehensive plans;

2 C. The evaluation of the full range of transportation
alternatives;

4 D. Preferences to transportation system management options,
6 demand management strategies, improvements to existing
systems and more energy efficient transportation modes.
8

10 2. The commission is composed of 9 members. The President
of the Senate shall appoint 2 Senators and one public member
representing an environmental group. The Speaker of the House of
12 Representatives shall appoint 2 members of the House of
Representatives and one public member representing a group
14 concerned with alternative modes of transportation. The Governor
shall appoint one representative of the Department of
16 Transportation, one professional planner and one representative
from a municipal organization. All appointments must be made no
18 later than 30 days following the effective date of this Act. The
chair of the Legislative Council shall call the first meeting of
20 the commission. The members of the commission shall elect a
chair from among the legislative members of the study commission.
22

24 3. The commission shall request staffing assistance from
the Legislative Council.

26 4. The members of the commission who are Legislators are
entitled to the legislative per diem, as defined in the Maine
28 Revised Statutes, Title 3, section 2, for each day's attendance
at commission meetings. All members of the commission are
30 entitled to reimbursement for expenses upon application to the
Executive Director of the Legislative Council.
32

34 5. The commission shall present its findings, together with
any recommended legislation, to the Second Regular Session of the
115th Legislature by November 1, 1991.
36

38 **STATEMENT OF FACT**

40 This bill accomplishes the following:

42 1. Removes the toll from exit 15 and, for southbound
traffic, from exit 14 on the Maine Turnpike. The remaining tolls
44 may be adjusted to maintain an equivalent amount of revenues by
the Maine Turnpike Authority;
46

48 2. Requires the Department of Transportation to take into
consideration the quality of community life, municipal
comprehensive plans and the full range of transportation
50 alternatives when planning highway projects;

2 3. Establishes a demonstration project staggering the work
hours of state employees in order to relieve traffic congestion
4 in the Augusta area; and

6 4. Establishes a study commission to review the structure
and highway planning functions of the Department of
8 Transportation.