

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1377

S.P. 429

In Senate, March 4, 1997

Resolve, to Establish a Maine Mobility Fund Task Force.

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator O'GARA of Cumberland.
Cosponsored by Representative DRISCOLL of Calais and
Senators: CASSIDY of Washington, PINGREE of Knox, Representatives: BERRY of
Livermore, CHARTRAND of Rockland, CLUKEY of Houlton, KONTOS of Windham,
SAVAGE of Union, WHEELER of Eliot.

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **Whereas,** access to adequate mobility choices is a basic need
of the State's general populace; and

8 **Whereas,** public transportation is at the heart of travel
alternatives given policy encouragement in both the State's
10 Sensible Transportation Policy Act and the federal Intermodal
Surface Transportation Efficiency Act of 1991, referred to in
12 this resolve as "ISTEA"; and

14 **Whereas,** less than \$400,000, or 33¢ per capita, is
appropriated annually to support public transportation in the
16 State, an amount that has not increased since the first
appropriation in 1979; and

18 **Whereas,** the State's regional transit providers in both
20 urban and rural areas have experienced large budget cuts while
the need for these services continues to increase, especially for
22 low-income and welfare-to-work clients; and

24 **Whereas,** State funding is scarce for all passenger
transportation alternatives, including bicycle and pedestrian
26 facilities, volunteer driver programs, fixed route bus, ferry
services, passenger rail, carpool and vanpool programs; and

28 **Whereas,** the State needs a stable funding source for
30 leveraging federal funds to support transportation alternatives
and their infrastructure in the State; and

32 **Whereas,** in the judgment of the Legislature, these facts
34 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
36 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

38
40 **Sec. 1. Task Force to Study the Feasibility of Creating a Maine
Mobility Fund established. Resolved:** That the Task Force to Study
the Feasibility of Creating a Maine Mobility Fund, referred to in
42 this resolve as the "task force," is established to find a way to
fully realize the promise of ISTEA and the State's Sensible
44 Transportation Policy Act for a new emphasis on public
transportation and to ensure that transit services receive
46 adequate funding; and be it further

48 **Sec. 2. Task force membership. Resolved:** That the task force
consists of the following 18 members:

50 1. Two members of the Senate appointed by the President of
52 the Senate;

- 2 2. Two members of the House of Representatives appointed by
the Speaker of the House;
- 4
- 6 3. Two members of the general public, one of whom must have
a mobility limitation, appointed by the Governor;
- 8 4. One representative from a metropolitan planning
organization in the State appointed by the Governor;
- 10
- 12 5. One representative of the Regional Transportation
Advisory Committees in the State appointed by the Governor;
- 14 6. One representative of the Department of Transportation
appointed by the Commissioner of Transportation;
- 16
- 18 7. One representative of the Department of Human Services
appointed by the Commissioner of Human Services;
- 20 8. One representative appointed by the Maine Turnpike
Authority;
- 22
- 24 9. One representative appointed by the Maine Better
Transportation Association;
- 26 10. One representative of area agencies on aging appointed
jointly by the President of the Senate and the Speaker of the
28 House;
- 30 11. One representative appointed jointly by the President
of the Senate and the Speaker of the House from a list of 3
32 persons submitted by the Bicycle Coalition of Maine;
- 34 12. One representative appointed jointly by the President
of the Senate and the Speaker of the House from a list of 3
36 persons submitted by Train Riders Northeast;
- 38 13. One representative appointed jointly by the President
of the Senate and the Speaker of the House from a list of 3
40 persons submitted by the Maine Transit Association;
- 42 14. One representative appointed jointly by the President
of the Senate and the Speaker of the House from a list of 3
44 persons submitted by the Maine Municipal Association; and
- 46 15. One representative appointed jointly by the President
of the Senate and the Speaker of the House from a list of 3
48 persons submitted by the Maine Chamber and Business Alliance; and
be it further
- 50

52 **Sec. 3. Appointment; notification. Resolved:** That all
appointments to the task force be made no later than 30 days

2 following the effective date of this resolve and the Executive
Director of the Legislative Council be notified by all appointing
4 authorities once the selections have been made; and be it further

6 **Sec. 4. Convening of task force; selection of chair. Resolved:** That
the task force shall hold an organizational meeting, called by
8 the Chair of the Legislative Council within 30 days of the
effective date of this resolve and select from among its members
a chair and a vice-chair for the task force; and be it further

10 **Sec. 5. Duties of task force. Resolved:** That the task force
12 shall investigate alternative revenue sources for a Maine
mobility fund, the advantages and disadvantages of each revenue
14 source and the policy and legislative actions required to
establish a Maine mobility fund. In its first meeting, the task
16 force shall determine the procedures for reaching these goals;
and be it further

18 **Sec. 6. Report of task force. Resolved:** That the task force
20 shall submit a report of its findings, together with any
necessary implementing legislation, to the Second Regular Session
22 of the 118th Legislature by January 15, 1998. If the task force
requires an extension, it may apply to the Legislative Council,
24 which may grant the extension; and be it further

26 **Sec. 7. Staff assistance. Resolved:** That the Office of Policy
and Legal analysis, with the approval of the Legislative Council,
28 shall provide research, clerical and computer assistance to the
task force; and be it further

30 **Sec. 8. Compensation. Resolved:** That all members of the task
32 force serve without compensation; and be it further

34 **Sec. 9. Funding. Resolved:** That the Legislative Council may
accept on behalf of the task force grants and other sources of
36 outside funding to hire staff and carry out the task force's
activities. Before acceptance of the funds, the Legislative
38 Council shall examine whether accepting funds from a source risks
the appearance of undue influence or is an actual undue influence
40 on the study. If the Legislative Council determines that
accepting funds from the source presents a risk of undue
42 influence the Legislative Council may not approve the funding
source. The Legislative Council shall administer any outside
44 funds acquired for conducting the study. Administration of those
funds includes authorizing the Executive Director of the
46 Legislative Council to approve or disapprove any contract for
assistance to the study in accordance with guidelines adopted by
48 the Legislative Council. Expenditures may not be incurred that
have an impact on the General Fund. Expenditures may not be
50 incurred by the task force unless outside sources of funding have
been received by the Legislative Council.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

4

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SUMMARY

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This resolve establishes the Task Force to Study the
Feasibility of Creating a Maine Mobility Fund.