

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 933

H.P. 718

House of Representatives, February 15, 2001

**Resolve, to Create the Commission to Study Abolishing the Maine Turnpike Authority.**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative LOVETT of Scarborough.

Under suspension of the rules, cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, BELANGER of Caribou, BERRY of Belmont, BOWLES of Sanford, BROOKS of Winterport, BRUNO of Raymond, BUCK of Yarmouth, BUMPS of China, CHASE of Levant, CHICK of Lebanon, CHIZMAR of Lisbon, CLOUGH of Scarborough, COLLINS of Wells, CRABTREE of Hope, CRESSEY of Baldwin, DAIGLE of Arundel, DAVIS of Falmouth, DUNLAP of Old Town, ETNIER of Harpswell, FOSTER of Gray, FULLER of Manchester, GERZOFSKY of Brunswick, GLYNN of South Portland, GOODWIN of Pembroke, GOOLEY of Farmington, GREEN of Monmouth, HASKELL of Milford, HEIDRICH of Oxford, HONEY of Boothbay, JACOBS of Turner, KANE of Saco, KASPRZAK of Newport, LAVERRIERE-BOUCHER of Biddeford, LEDWIN of Holden, LEMOINE of Old Orchard Beach, MacDOUGALL of North Berwick, MADORE of Augusta, MAILHOT of Lewiston, MAYO of Bath, McKENNEY of Cumberland, McNEIL of Rockland, MENDROS of Lewiston, MORRISON of Baileyville, MURPHY of Kennebunk, MUSE of Fryeburg, NASS of Acton, NUTTING of Oakland, O'BRIEN of Augusta, PATRICK of Rumford, PERKINS of Penobscot, PINKHAM of Lamoine, ROSEN of Bucksport, SCHNEIDER of Durham, SHERMAN of Hodgdon, SHIELDS of Auburn, SKOGLUND of St. George, SNOWE-MELLO of Poland, STEDMAN of Hartland, SULLIVAN of Biddeford, TARAZEWICH of Waterboro, TOBIN of Windham, TOBIN of Dexter, TRAHAN of Waldoboro, TREADWELL of Carmel, TWOMEY of Biddeford, VOLENIK of Brooklin, WATERHOUSE of Bridgton, WATSON of Farmingdale, WESTON of Montville, YOUNG of Limestone, Senators: DAVIS of Piscataquis, FERGUSON of Oxford, LONGLEY of Waldo, McALEVEY of York.

2           **Sec. 1. Commission established. Resolved:** That the Commission  
to Study Abolishing the Maine Turnpike Authority, referred to in  
4 this resolve as the "commission," is established; and be it  
further

6           **Sec. 2. Commission membership. Resolved:** That the commission  
consists of the following 14 members:

8  
10           1. Three members from the Senate who are members of the  
Joint Standing Committee on Transportation, appointed by the  
President of the Senate;

12  
14           2. Ten members from the House of Representatives who are  
members of the Joint Standing Committee on Transportation,  
appointed by the Speaker of the House; and

16  
18           3. The Commissioner of Transportation, or the  
commissioner's designee; and be it further

20           **Sec. 3. Chairs. Resolved:** That the first named Senate member  
is the Senate chair of the commission and the first named House  
22 member is the House chair of the commission; and be it further

24           **Sec. 4. Appointments; meetings. Resolved:** That the  
appointments must be made no later than 30 days after the  
26 effective date of this resolve. The appointing authorities shall  
notify the Executive Director of the Legislative Council once the  
28 appointments have been made. The Executive Director of the  
Legislative Council shall notify the chairs when all appointments  
30 have been made. The chairs of the commission shall call and  
convene the first meeting of the commission within 30 days of  
32 being notified that all appointments have been made; and be it  
further

34           **Sec. 5. Duties. Resolved:** That the commission shall undertake  
36 a comprehensive effort to study abolishing the Maine Turnpike  
Authority. This comprehensive study must include:

38           1. A proposal that develops toll equity;

40  
42           2. An analysis of the availability of federal highway funds  
if the Maine Turnpike Authority is abolished and all of its  
functions, duties and obligations reallocated to another agency;

44  
46           3. An analysis of estimates in cost savings or losses in  
terms of maintenance, reconstruction, legal costs, accounting and  
48 engineering functions if the Maine Turnpike Authority is  
abolished and all of its functions, duties and obligations  
reallocated to another agency; and

50

2 4. An analysis of the implications of abolishing the Maine  
4 Turnpike Authority and a list of options that may provide a  
6 course of action to reallocate the functions, duties and  
obligations of the Maine Turnpike Authority to another agency;  
and be it further

8 **Sec. 6. Report. Resolved:** That the commission shall submit  
10 its report, together with any recommended implementing  
12 legislation, to the 120th Legislature no later than November 7,  
2002. If the commission requires an extension of time to make  
its report, it may apply to the Legislative Council, which may  
grant the extension; and be it further

14 **Sec. 7. Staff assistance. Resolved:** That, upon approval of the  
16 Legislative Council, the Office of Policy and Legal Analysis  
18 shall provide staffing assistance to the commission. The Office  
of Fiscal and Program Review, the Department of Transportation  
and the Maine Turnpike Authority shall also provide assistance as  
requested by the commission; and be it further

20 **Sec. 8. Compensation. Resolved:** That the legislative members  
22 of the commission are entitled to receive the legislative per  
24 diem, as defined in the Maine Revised Statutes, Title 3, section  
2, and reimbursement for travel and other necessary expenses  
related to their attendance at authorized meetings of the  
26 commission; and be it further

28 **Sec. 9. Budget. Resolved:** That the chairs of the commission,  
30 with assistance from the commission staff, shall administer the  
commission's budget. The commission may not incur expenses  
32 exceeding its approved budget. Upon request from the commission,  
the Executive Director of the Legislative Council shall promptly  
34 provide the commission and its staff with a status report on the  
commission's budget, expenditures incurred and remaining  
available funds.

## 38 SUMMARY

40 This resolve creates the Commission to Study Abolishing the  
42 Maine Turnpike Authority. Membership of the commission includes  
the 3 members of the Senate and 10 members of the House of  
44 Representatives who are members of the Joint Standing Committee  
on Transportation and the Commissioner of Transportation or the  
46 commissioner's designee. Commission duties include undertaking a  
comprehensive study to abolish the Maine Turnpike Authority.  
48 This comprehensive study must include a proposal that develops  
toll equity, an analysis of the availability of federal highway  
funds if the Maine Turnpike Authority is abolished, an analysis

2 of estimates in cost savings or losses if the Maine Turnpike  
Authority is abolished, an analysis of the implications of  
4 abolishing the Maine Turnpike Authority and a list of options  
that may provide a course of action to reallocate the functions,  
6 duties and obligations of the Maine Turnpike Authority to another  
agency. The commission shall submit a report to 120th  
Legislature no later than November 7, 2002.