

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1671

S.P. 540

In Senate, March 15, 2001

**Resolve, to Create the Commission to Study Combining the Resources of
the Maine Turnpike Authority and the Department of Transportation.**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SHOREY of Washington.
Cosponsored by Senator TURNER of Cumberland, Representatives: DUGAY of Cherryfield,
GOODWIN of Pembroke, MORRISON of Baileyville.

2 **Sec. 1. Commission established. Resolved:** That the Commission to
Study Combining the Resources of the Maine Turnpike Authority and
4 the Department of Transportation, referred to in 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:

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10 1. Two members of the Senate, appointed by the President of
the Senate. When making the appointments, the President of the
12 Senate shall give preference to members from the Joint Standing
Committee on Transportation;

14 2. Two members of the House of Representatives, appointed by
the Speaker of the House. When making the appointments, the
16 Speaker of the House shall give preference to members from the
Joint Standing Committee on Transportation;

18 3. The Commissioner of Transportation or the commissioner's
20 designee;

22 4. The Executive Director of the Maine Turnpike Authority
or the executive director's designee;

24 5. Four public regional representatives, appointed by the
26 Commissioner of Transportation:

28 A. One from the region north of Augusta;

30 B. One from the region south of Augusta;

32 C. One from the region considered eastern Maine; and

34 D. One from the region considered western Maine;

36 6. A representative with bond counsel experience, appointed
by the Executive Director of the Maine Turnpike Authority;

38 7. Two registered professional civil engineers, appointed
40 by the Commissioner of Transportation; and

42 8. An economic planner, appointed by the Commissioner of
Transportation; and be it further

44 **Sec. 3. Chairs. Resolved:** That the first named Senate member is
46 the Senate chair of the commission and the first named House of
Representatives member is the House chair of the commission; and
48 be it further

2 **Sec. 4. Appointments; meetings. Resolved:** That all appointments
3 must be made no later than 30 days following the effective date
4 of this resolve. The appointing authorities shall notify the
5 Executive Director of the Legislative Council once the
6 appointments have been made. The Executive Director of the
7 Legislative Council shall notify the chairs when all appointments
8 have been made. The chairs of the commission shall call and
9 convene the first meeting of the commission within 30 days of
10 being notified that all appointments have been made; and be it
11 further

12 **Sec. 5. Duties. Resolved:** That the commission shall:

13 1. Identify potential cost savings to turnpike users and
14 taxpayers associated with combining the resources of the Maine
15 Turnpike Authority and the Department of Transportation in the
16 following areas:

17 A. Maintenance methods and equipment;

18 B. Project development, engineering and construction
19 staffing; and

20 C. Project funding and alternate methods of funding new
21 projects;

22 2. Identify and resolve conflicts or problems associated
23 with combining the resources of the Maine Turnpike Authority and
24 the Department of Transportation such as the following:

25 A. Revenue bond security counsel requirements;

26 B. Current methods for procurement of design and
27 construction consultants; and

28 C. Federal reimbursement for road maintenance;

29 3. Study the use of bond raising techniques and toll
30 collection mechanisms presently utilized by the Maine Turnpike
31 Authority to develop and implement other highway transportation
32 projects; and

33 4. Study the use of excess tolls collected on the existing
34 system to assist in funding the Highway Fund or special projects,
35 including, but not limited to, a limited-access highway from
36 Brunswick to Acadia National Park; and be it further

37 **Sec. 6. Report. Resolved:** That the commission shall submit its
38 report, together with any recommended implementing legislation,
39 to the joint standing committee of the Legislature
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2 having jurisdiction over transportation matters by November 6,
3 2002. If the commission requires an extension of time to make its
4 report, it may apply to the Legislative Council, which may grant
5 the extension. Following receipt of the report, the joint
6 standing committee of the Legislature having jurisdiction over
7 transportation matters may introduce legislation to the First
8 Regular Session of the 121st Legislature; and be it further

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

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18 **Sec. 8. Compensation. Resolved:** That the members of the
19 commission who are Legislators are entitled to receive the
20 legislative per diem, as defined in the Maine Revised Statutes,
21 Title 3, section 2, and reimbursement for travel and other
22 necessary expenses related to their attendance at authorized
23 meetings of the commission. Other members of the commission who
24 are not compensated by their employers or other entities that
25 they represent are entitled to receive reimbursement for travel
26 and other necessary expenses related to their attendance at
27 authorized meetings; and be it further

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

37 38 39 40 SUMMARY

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42 This resolve creates the Commission to Study Combining the
43 Resources of the Maine Turnpike Authority and the Department of
44 Transportation. Duties of the commission include the
45 identification of potential cost savings to turnpike users and
46 taxpayers associated with combining the resources of the Maine
47 Turnpike Authority and the Department of Transportation, the
48 identification and resolution of conflicts or problems associated
49 with combining the resources of the Maine Turnpike Authority and
50 the Department of Transportation, the use of bond raising
techniques and toll collection mechanisms used by the Maine

2 Turnpike Authority to develop and implement other highway
transportation projects and the use of excess tolls collected on
4 the existing turnpike system to assist in funding the Highway
Fund or other special projects. The commission shall submit its
6 report, together with any recommended implementing legislation,
to the joint standing committee of the Legislature having
jurisdiction over transportation matters by November 6, 2002.
8 Following receipt of the report, the joint standing committee of
the Legislature having jurisdiction over transportation matters
10 may introduce legislation to the First Regular Session of the
121st Legislature.