

MAINE STATE LEGISLATURE

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Date: 3/16/16

L.D. 1110
(Filing No. H-563)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 771, L.D. 1110, Bill, "An Act To Modernize Road User Fees"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Study Transportation Funding Reform'

Amend the bill by striking out everything after the title and inserting the following:

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

Whereas, adequate, sustainable and predictable transportation funding is critical to the safety and economic well-being of all Maine citizens; and

Whereas, funding for transportation infrastructure in Maine and the nation is seriously deficient; and

Whereas, the shortfall of funding related to Maine's state highway and bridge system is at least \$168,000,000 per year, without consideration of general obligation bonding; and

Whereas, the shortfall of capital funding related to Maine's multimodal system of ports, rail and other modes of transportation is substantial; and

Whereas, general obligation bonding levels are unpredictable due to the current short-term focus of the process that determines bonding levels and priorities, a process that usually takes place late in a legislative session after finalization of the General Fund budget, if at all; and

Whereas, higher fuel efficiency of vehicles and alternative fuel vehicles continue to erode the funding provided by per gallon fuel taxes and increase the inequity among drivers in terms of the fee paid per mile for use of the highway and bridge system; and

Whereas, fuel prices are relatively low but surely will rise in the years ahead; and

COMMITTEE AMENDMENT

1 **Whereas**, approximately 30,000,000 people visit Maine each year, a state with a
2 year-round population of about 1,300,000 people, and the capacity and a significant
3 portion of the cost of Maine's transportation system are driven by seasonal traffic
4 volumes; and

5 **Whereas**, through years of capital planning, prioritization and efficiency initiatives,
6 the Department of Transportation has proven that it uses funding efficiently and
7 effectively; and

8 **Whereas**, although federal transportation funding levels have been established for
9 the next 5 years, these funding levels will not solve Maine's transportation funding
10 problems and additional federal funding solutions are unlikely; and

11 **Whereas**, other states are finding transportation funding solutions and the State has
12 an obligation to all its citizens to seek solutions now; and

13 **Whereas**, the Joint Standing Committee on Transportation is charged with
14 analyzing options and recommending legislation and is best-equipped to study these
15 issues and find ways to reform and supplement transportation funding in Maine; and

16 **Whereas**, the study must be initiated before the 90-day period expires in order that
17 the study may be completed and a report submitted in time for submission to the next
18 legislative session; and

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

23 **Sec. 1. Study established. Resolved:** That the Joint Standing Committee on
24 Transportation, referred to in this resolve as "the committee," shall study how to reform
25 and adequately supplement funding for the State's transportation infrastructure to promote
26 equity, sustainability and predictability in a manner that allows the State to responsibly
27 provide a safe and reliable state transportation system; and be it further

28 **Sec. 2. Convening of committee. Resolved:** That the chairs of the committee
29 shall call and convene the first meeting of the committee for the purposes of this resolve
30 no later than 30 days following the effective date of this resolve; and be it further

31 **Sec. 3. Meetings. Resolved:** That the committee may meet for the purposes of
32 this resolve only when the Legislature is not in regular or special session. The committee
33 may meet up to 4 times to accomplish its duties. At least 2 meetings must allow public
34 comment; and be it further

35 **Sec. 4. Duties. Resolved:** That the committee shall focus on funding the state
36 highway and bridge system, but shall also consider capital funding through the issuance
37 of bonds for multimodal infrastructure. The committee shall:

38 1. Identify mechanisms that will increase the predictability of general obligation
39 bonding levels for capital planning at the Department of Transportation for the state
40 highway and bridge system and multimodal infrastructure for the next 10 years;

COMMITTEE AMENDMENT

1 2. Consult with the Secretary of State to identify mechanisms to address the erosion
2 of Highway Fund receipts and the rising inequity among drivers caused by higher
3 automobile fuel efficiency and alternative fuel vehicles, such as adding a registration fee
4 surcharge on hybrid, electric or other alternative fuel passenger automobiles or a
5 voluntary so-called "vehicle miles traveled" pilot program for passenger automobiles;

6 3. Consult with the Secretary of State to consider adjustments to motor vehicle fees
7 that will bring these fees in line with regional averages;

8 4. Consider dedicating a portion of sales tax receipts from transportation-related sales
9 to transportation infrastructure;

10 5. Consider adding a wholesale fuel tax component, including options that would
11 reduce baseline per gallon fuel tax rates;

12 6. Consider adjusting fuel tax rates, including a pump-price surcharge that is
13 eliminated as fuel prices increase, or a reduction of the year-round baseline gasoline tax
14 rates and the addition of a seasonal gasoline tax surcharge; and

15 7. Invite knowledgeable stakeholders to provide written and oral comments on draft
16 recommendations of the committee. Knowledgeable stakeholders must include
17 representatives from the American Council of Engineering Companies of Maine, the
18 Maine Section of the American Society of Civil Engineers, the Associated General
19 Contractors of Maine, the Maine Automobile Dealers Association, the Maine Better
20 Transportation Association, the Maine State Chamber of Commerce, the Mayors'
21 Coalition on Jobs and Economic Development, the Maine Motor Transport Association,
22 the Maine Municipal Association, the Maine Service Center Coalition, the Maine
23 Tourism Association and the Maine Turnpike Authority; and be it further

24 **Sec. 5. Cooperation. Resolved:** That the Commissioner of Transportation shall
25 provide information and data to the committee as necessary for its work; and be it further

26 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
27 necessary staffing services to the committee; and be it further

28 **Sec. 7. Report. Resolved:** That, no later than November 2, 2016, the committee
29 shall submit a report that includes its findings and recommendations, including suggested
30 legislation, for presentation to the First Regular Session of the 128th Legislature. The
31 joint standing committee of the Legislature having jurisdiction over transportation matters
32 may submit legislation to the First Regular Session of the 128th Legislature related to the
33 report; and be it further

34 **Sec. 8. Funding. Resolved:** That the costs of the study must be provided from the
35 Highway Fund by appropriate appropriation or allocation.

36 **Emergency clause.** In view of the emergency cited in the preamble, this
37 legislation takes effect when approved.'

38 **SUMMARY**

39 This amendment replaces the concept draft with a resolve directing the Joint Standing
40 Committee on Transportation to study how to reform and adequately supplement funding

COMMITTEE AMENDMENT "A" to H.P. 771, L.D. 1110

1 for the State's transportation infrastructure to promote equity, sustainability and
2 predictability in a manner that allows the State to responsibly provide a safe and reliable
3 transportation system. The committee is authorized to meet for this purpose up to 4 times
4 when the Legislature is not in session, and the committee's report must be submitted by
5 November 2, 2016. The joint standing committee of the Legislature having jurisdiction
6 over transportation matters may submit legislation to the First Regular Session of the
7 128th Legislature relating to the subject matter of the report. The amendment adds an
8 emergency preamble and emergency clause.

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FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



127th MAINE LEGISLATURE

LD 1110

LR 675(02)

An Act To Modernize Road User Fees

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-563)
Committee: Transportation
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,250 in fiscal year 2015-16 and \$3,500 in fiscal year 2016-17. The Legislature's budget includes \$13,000 in fiscal year 2015-16 and \$8,125 in fiscal year 2016-17 for meetings of the Joint Standing Committee on Transportation that are held during the interim when the legislature is not in session. Whether or not sufficient funds exist for this study will depend on the total number of authorized meetings to be funded from the Legislative Highway Fund account.

Fiscal Detail and Notes

Additional costs to the Department of Transportation and the Secretary of State to provide information to the committee can be absorbed within existing budgeted resources.