

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1435

H.P. 1045

House of Representatives, March 28, 2019

**Resolve, Directing the Joint Standing Committee on Transportation  
To Study Transportation Funding Reform**

(EMERGENCY)

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McLEAN of Gorham.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8           **Sec. 1. Study. Resolved:** That the Joint Standing Committee on Transportation,  
9 referred to in this resolve as "the committee," shall study how to reform and adequately  
10 supplement funding for the State's transportation infrastructure to promote equity,  
11 sustainability and predictability in a manner that allows the State to responsibly provide a  
12 safe and reliable state transportation system.

13           **Sec. 2. Convening of committee. Resolved:** That the chairs of the committee  
14 shall call and convene the first meeting of the committee for the purposes of this resolve  
15 no later than 30 days following the effective date of this resolve.

16           **Sec. 3. Meetings. Resolved:** That the committee may meet for the purposes of  
17 this resolve only when the Legislature is not in regular or special session. The committee  
18 may meet up to 4 times to accomplish its duties under section 4. At least 2 meetings must  
19 allow public comment.

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

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

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

31           3. Consult with the Secretary of State to consider adjustments to motor vehicle fees  
32 that will align these fees with regional averages;

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

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

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

4 7. Invite knowledgeable stakeholders to provide written and oral comments on draft  
5 recommendations of the committee. Knowledgeable stakeholders must include  
6 representatives from the American Council of Engineering Companies of Maine, the  
7 Maine Section of the American Society of Civil Engineers, the Associated General  
8 Contractors of Maine, the Maine Automobile Dealers Association, the Maine Better  
9 Transportation Association, the Maine State Chamber of Commerce, the Mayors'  
10 Coalition on Jobs and Economic Development, the Maine Motor Transport Association,  
11 the Maine Municipal Association, the Maine Service Center Coalition, the Maine  
12 Tourism Association and the Maine Turnpike Authority.

13 **Sec. 5. Cooperation. Resolved:** That the Commissioner of Transportation shall  
14 provide information and data to the committee as necessary for its work.

15 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
16 necessary staffing services to the committee.

17 **Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the committee  
18 shall submit a report that includes its findings and recommendations, including suggested  
19 legislation, for presentation to the Second Regular Session of the 129th Legislature. The  
20 committee may submit legislation to the Second Regular Session of the 129th Legislature  
21 related to the report.

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

24 **Emergency clause.** In view of the emergency cited in the preamble, this  
25 legislation takes effect when approved.

## 26 SUMMARY

27 This resolve directs the Joint Standing Committee on Transportation to study how to  
28 reform and adequately supplement funding for the State's transportation infrastructure to  
29 promote equity, sustainability and predictability in a manner that allows the State to  
30 responsibly provide a safe and reliable transportation system. The committee is  
31 authorized to meet for this purpose up to 4 times when the Legislature is not in session,  
32 and the committee's report must be submitted by December 4, 2019. The committee may  
33 submit legislation to the Second Regular Session of the 129th Legislature relating to the  
34 subject matter of the report.