

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1559

H.P. 1004

House of Representatives, April 11, 2023

**An Act to Advance the State's Public Transit Systems by
Reinvigorating the Public Transit Advisory Council and Increasing
Funding**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative O'NEIL of Saco.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: BRIDGEO of Augusta, CLOUTIER of Lewiston, LANDRY of Farmington,
MALON of Biddeford, MASTRACCIO of Sanford, SUPICA of Bangor, WILLIAMS of Bar
Harbor, Senator: DAUGHTRY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 23 MRSA §73, sub-§3, ¶E**, as corrected by RR 1991, c. 2, §88, is amended
3 to read:

4 E. Meet the diverse transportation needs of the people of the State, including rural and
5 urban populations and the unique mobility needs of ~~the elderly~~ older adults and
6 disabled persons with disabilities, including the employment of alternative modes of
7 transportation;

8 **Sec. 2. 23 MRSA §73, sub-§3, ¶F**, as corrected by RR 1991, c. 2, §88, is amended
9 to read:

10 F. Be consistent with the purposes, goals and policies of the Comprehensive Planning
11 and Land Use Regulation Act; ~~and~~

12 **Sec. 3. 23 MRSA §73, sub-§3, ¶G**, as corrected by RR 1991, c. 2, §88, is amended
13 to read:

14 G. Incorporate a public participation process in which local governmental bodies and
15 the public have timely notice and opportunity to identify and comment on concerns
16 related to transportation planning decisions, capital investment decisions and project
17 decisions. The department and the Maine Turnpike Authority shall take the comments
18 and concerns of local citizens into account and must be responsive to them;:

19 **Sec. 4. 23 MRSA §73, sub-§3, ¶H** is enacted to read:

20 H. Facilitate and support the public transportation systems in the State to achieve
21 accessibility, affordability and convenience for the average person who commutes; and

22 **Sec. 5. 23 MRSA §73, sub-§3, ¶I** is enacted to read:

23 I. Reduce greenhouse gas emissions in accordance with the emissions reduction targets
24 established under Title 38, section 576-A.

25 **Sec. 6. 23 MRSA §4209-A, sub-§2, ¶B**, as enacted by PL 2015, c. 182, §8, is
26 amended to read:

27 B. The following individuals appointed by the commissioner:

28 (1) One representative each from the federally designated planning organizations
29 for the Bangor, Kittery, Lewiston and Auburn and Portland regions;

30 (2) One representative of private bus operators;

31 (3) One representative of a statewide nonprofit organization advocating on behalf
32 of ~~the elderly~~ older adults;

33 (4) One representative of a medical provider;

34 (5) One representative of ~~a business that relies on public transportation an~~
35 organization representing the business community with an affirmative interest in
36 improving public transportation;

37 (6) One representative of a statewide association of planning and development
38 agencies;

39 (7) One representative of an organization representing persons with disabilities;

- 1 (8) ~~One representative of a nonprofit transit provider~~ Two representatives of 2
2 separate public or nonprofit urban transit agencies;
3 (9) One representative of an economic development organization; ~~and~~
4 (10) One representative of an organization representing low-income persons-;
5 (11) One representative of an organization from one of the State's immigrant
6 communities;
7 (12) One representative of a statewide labor union; and
8 (13) One representative representing youth interests related to climate change who
9 is 16 years of age or older and under 25 years of age.

10 In making appointments, the commissioner shall ensure that rural and urban areas are
11 represented.

12 **Sec. 7. 23 MRSA §4209-A, sub-§4**, as amended by PL 2019, c. 211, §2, is further
13 amended to read:

14 **4. Terms; vacancies ~~and~~; council chair; steering committee.** A member of the
15 council appointed pursuant to subsection 2, paragraph B serves for a term of 3 years. Terms
16 must be staggered so that approximately ~~one-third~~ 1/3 of the council is renewed each
17 calendar year. If a member is unable to complete the term, the commissioner shall appoint
18 a member from the same category of members listed in subsection 2, paragraph B as the
19 member who vacated the council to serve out the unexpired portion of the term. The
20 commissioner shall determine how the council is to choose a chair and for how long the
21 chair is to serve. The council may establish a steering committee with the commissioner to
22 direct the work of the council.

23 **Sec. 8. 23 MRSA §4209-A, sub-§4-A**, as enacted by PL 2019, c. 211, §2, is
24 amended to read:

25 **4-A. Meetings and deliberations.** The council shall meet no less than ~~one~~ 4 times
26 per year at the call of the chair. The council may adopt bylaws and other policies to
27 effectively govern its proceedings.

28 **Sec. 9. 23 MRSA §4209-A, sub-§5**, as amended by PL 2019, c. 211, §2, is further
29 amended to read:

30 **5. Report.** The council shall report on its deliberations and any recommendations by
31 ~~March~~ February 1st of each ~~odd-numbered~~ year to the Governor and the joint standing
32 committees of the Legislature having jurisdiction over transportation matters and health
33 and human services matters. The report must include:

- 34 A. An assessment of the level of public transportation services provided to the public;
35 B. Recommendations for the level of service that should be provided and an estimate
36 of the cost of providing those services; ~~and~~
37 D. A progress report on ~~recommendations contained in~~ the implementation of the most
38 recent statewide strategic transit plan for the department as well as the quinquennial
39 locally coordinated plan for regional transit under section 4209, subsection 2-; ~~and~~
40 E. A progress report on the implementation of the statewide mobility management
41 program pursuant to subsection 6, paragraph B.

1 The joint standing committees of the Legislature having jurisdiction over transportation
2 matters and health and human services matters may report out a bill relating to the report
3 to the first regular session of the Legislature in which the report is received.

4 **Sec. 10. 23 MRSA §4209-A, sub-§6** is enacted to read:

5 **6. Duties.** The council has the following duties in addition to those required pursuant
6 to subsection 1.

7 A. The council shall prepare a statewide transit plan that must include, but is not limited
8 to, the following:

9 (1) Standards for adequate mobility in rural and urban areas of the State that
10 address social and economic equity, economic impact and environmental impact;

11 (2) An assessment of the existing public transportation services provided to the
12 public in relation to statewide standards for adequate mobility;

13 (3) Strategies to reach the statewide standards for adequate mobility with an
14 estimate of the operating and capital costs of the strategies; and

15 (4) A full accounting of all state and state-directed federal funding managed and
16 distributed by the department for the most recently completed fiscal year for
17 multimodal purposes, and a forecast of anticipated state and state-directed federal
18 funding for the upcoming fiscal year.

19 B. The council shall prepare a statewide mobility management program in coordination
20 with the geographic regions established under section 4209, metropolitan planning
21 organizations, municipalities and public transportation agencies that aims to help
22 individuals navigate the transportation system, while also working to make the system
23 more coordinated and easier to access.

24 **Sec. 11. Public Transit Advisory Council to set goals; report.** The Public
25 Transit Advisory Council, referred to in this section as "the council," shall identify
26 measurable goals for expansion, efficiency, affordability and environmental impact in each
27 geographic region under the Maine Revised Statutes, Title 23, section 4209. The goals
28 must include strategies to achieve the goals and methods to measure progress in achieving
29 the goals. The council shall identify funding needs to achieve the goals and propose
30 funding sources. No later than December 30, 2023, the council shall submit a report
31 containing the information in this section to the Department of Transportation. No later
32 than January 30, 2024, the department shall submit a report to the Joint Standing Committee
33 on Transportation with the report from the council and the department's plans based on the
34 report. The department may engage with relevant stakeholders in developing its report,
35 including large employers in the State. The committee may report out legislation relating
36 to the report to the Second Regular Session of the 131st Legislature.

37 **Sec. 12. Appropriations and allocations.** The following appropriations and
38 allocations are made.

39 **TRANSPORTATION, DEPARTMENT OF**

40 **Multimodal - Transit 0443**

41 Initiative: Provides a one-time General Fund appropriation of \$25,000,000 to increase
42 subsidies for bus transit operating and capital funds.

1	GENERAL FUND	2023-24	2024-25
2	All Other	\$0	\$25,000,000
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$25,000,000</u>
5	Multimodal - Transit 0443		
6	Initiative: Creates 2 Public Service Coordinator II positions to support transit planning		
7	assistance.		
8	GENERAL FUND	2023-24	2024-25
9	POSITIONS - LEGISLATIVE COUNT	2,000	2,000
10	Personal Services	\$284,690	\$293,818
11	All Other	\$10,000	\$10,000
12			
13	GENERAL FUND TOTAL	<u>\$294,690</u>	<u>\$303,818</u>
14	Multimodal - Transit 0443		
15	Initiative: Provides a one-time appropriation for bus transit operating costs.		
16	GENERAL FUND	2023-24	2024-25
17	All Other	\$6,800,000	\$6,800,000
18			
19	GENERAL FUND TOTAL	<u>\$6,800,000</u>	<u>\$6,800,000</u>
20			
21	TRANSPORTATION, DEPARTMENT OF		
22	DEPARTMENT TOTALS	2023-24	2024-25
23			
24	GENERAL FUND	\$7,094,690	\$32,103,818
25			
26	DEPARTMENT TOTAL - ALL FUNDS	<u>\$7,094,690</u>	<u>\$32,103,818</u>

- 27
- SUMMARY**
- 28 This bill:
- 29 1. Requires the Public Transit Advisory Council to meet 4 times per year;
- 30 2. Directs the Public Transit Advisory Council to identify measurable goals for
- 31 expansion, efficiency, affordability and environmental impact in each geographic region
- 32 and to report that information to the Department of Transportation. It requires the
- 33 department to submit a report to the Joint Standing Committee on Transportation on its
- 34 planning activities related to the council's report;
- 35 3. Amends the transportation policy in the Sensible Transportation Policy Act to
- 36 include facilitating and supporting public transportation systems in the State and reducing
- 37 greenhouse gas emissions;
- 38 4. Amends the membership of the Public Transit Advisory Council;
- 39 5. Authorizes the Public Transit Advisory Council to establish a steering committee
- 40 with the Commissioner of Transportation to direct the work of the council;

- 1 6. Directs the Public Transit Advisory Council to prepare a statewide transit plan and
2 a statewide mobility management program;
- 3 7. Creates 2 positions within the Department of Transportation to support transit
4 planning assistance;
- 5 8. Appropriates \$25,000,000 to the Department of Transportation to increase subsidies
6 for bus transit operating funds; and
- 7 9. Appropriates \$13,600,000 to the Department of Transportation for bus transit
8 operating costs.