

## STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 700 - L.D. 945

**Resolve, To Establish the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems**

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

**Whereas**, this legislation establishes the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems; and

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

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

**Whereas**, funding for transportation infrastructure in the State and the nation is seriously lacking; and

**Whereas**, the shortfall in funding related to the State's state highway and bridge system is at least \$160 million per year, without consideration of general obligation bonding; 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 biennial budget, if at all; and

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

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

**Whereas**, about 37 million people visit the State each year, which has a year-round population of about 1.3 million people, and the capacity and a significant portion of the cost of the State's transportation systems are driven by seasonal traffic volumes that swell due to our valued visitors from away; and

**Whereas**, through years of capital planning, prioritization and efficiency initiatives, the Department of Transportation has proven that it uses funding efficiently and effectively and can be trusted to do so with additional funding; and

**Whereas**, federal transportation funding is unpredictable, the federal Fixing America's Surface Transportation Act will expire in 2020 and there is no guarantee, in this federal environment, of a stable funding solution in the future; and

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

**Whereas**, a bipartisan blue ribbon commission charged with analyzing options and recommending legislation is the best way to reform and supplement transportation funding in Maine; and

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

**Sec. 1. Commission established. Resolved:** That the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 15 members as follows:

1. Three members appointed by the President of the Senate, at least one of whom is from the minority party in the Senate, including at least one member of the Joint Standing Committee on Transportation, and at least one member of either the Joint Standing Committee on Appropriations and Financial Affairs or the Joint Standing Committee on Taxation;

2. One member appointed by the President of the Senate representing an organization of municipal or public works officials;

3. Four members appointed by the Speaker of the House of Representatives, at least one of whom is from the minority party in the House, including at least one member of the Joint Standing Committee on Transportation, and at least one member of either the Joint Standing Committee on Appropriations and Financial Affairs or the Joint Standing Committee on Taxation;

4. One member appointed by the Speaker of the House of Representatives representing freight or passenger rail interests;

5. One member appointed by the Governor representing an organization advocating for proper maintenance and funding of the State's transportation networks, including construction companies that build and maintain or engineer and design the State's transportation infrastructure;

6. One member appointed by the Governor representing an organization advocating for the interests of commercial companies moving bulk goods on the State's road networks;

7. One member appointed by the Governor representing an organization advocating for public transportation services;

8. One member appointed by the Governor representing bicyclist or pedestrian needs;

9. The Commissioner of Transportation, or the commissioner's designee; and

10. The Executive Director of the Maine Turnpike Authority, or the director's designee.

**Sec. 3. Chairs. Resolved:** That, notwithstanding Joint Rule 353, the first-named Senate member of the Joint Standing Committee on Transportation and the first-named House member of the Joint Standing Committee on Transportation shall serve as cochairs of the commission.

**Sec. 4. Appointments; convening of commission. Resolved:** That, notwithstanding Joint Rule 353, all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

**Sec. 5. Duties. Resolved:** That the commission shall study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability so that the State can responsibly provide safe and reliable state transportation systems. The commission shall focus on funding the state highway and bridge system and shall also develop findings or recommendations on the need and potential funding solutions for multimodal transportation infrastructure. Specific study topics may include, but are not limited to, the following:

1. A review related to the funding levels necessary to achieve the capital improvement plan goals set forth in the Maine Revised Statutes, Title 23, section 73, subsection 7, including anticipated shortfalls for the next 10 years, and a review of whether the capital improvement plan goals set forth in Title 23, section 73, subsection 7 are still appropriate and valid;

2. Mechanisms to increase the predictability of general obligation bonding levels for capital planning at the Department of Transportation for the state highway and bridge system and multimodal infrastructure for the next 10 years;

3. Mechanisms to address the erosion of Highway Fund receipts and the rising inequity between drivers caused by higher automobile fuel efficiency and alternative fuel vehicles such as adding a registration fee surcharge on hybrid, electric or other alternative fuel passenger automobiles;

4. A voluntary vehicle miles traveled pilot program for passenger automobiles;

5. Methods to more equitably share the costs of the highway system between residents and nonresidents;

6. Consideration of new highway tolling opportunities;

7. Consideration of dedicating a portion of sales tax receipts from transportation-related sales to fund transportation needs; and

8. An increase of state funding for multimodal transportation, including increasing or augmenting the existing funding from the automobile rental sales tax.

The commission shall meet up to 6 times over the course of 2019 and shall hold public hearings and review recommendations from the people of the State and qualified experts when appropriate at no fewer than 3 locations throughout the State. The chairs shall also provide the opportunity for knowledgeable stakeholders to submit written comments throughout the study process and to provide oral testimony on the commission's draft recommendations. Knowledgeable stakeholders must include representatives from organizations representing economic development, transportation engineering and construction firms, highway users, the Maine State Chamber of Commerce, municipal and public works organizations, trucking and shipping firms, bicyclists and pedestrians, conservation and environmental professionals and the tourism industry.

**Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Transportation. The Joint Standing Committee on Transportation may submit legislation for presentation to the Second Regular Session of the 129th Legislature.

**Sec. 8. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Allocates funds on a one-time basis for the costs to the Legislature of Legislators participating in the work of the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems.

<b>HIGHWAY FUND</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services	\$1,540	\$0
All Other	\$2,210	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$3,750</b>	<b>\$0</b>

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