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Legislative Document

No. 1208

H.P. 852

House of Representatives, March 26, 2013

**Resolve, To Establish the Commuter and Passenger Rail Advisory
Task Force**

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative VEROW of Brewer.
Cosponsored by Representative CHIPMAN of Portland, Senator YOUNGBLOOD of Penobscot and Representatives: BECK of Waterville, BROOKS of Winterport, CAMPBELL of Orrington, CAREY of Lewiston, FREY of Bangor, GILLWAY of Searsport, GOODE of Bangor, GUERIN of Glenburn, KUSIAK of Fairfield, LONGSTAFF of Waterville, LUCHINI of Ellsworth, NADEAU of Winslow, SCHNECK of Bangor, SHORT of Pittsfield, STANLEY of Medway, TURNER of Burlington, WERTS of Auburn, WILSON of Augusta, Senator: MAZUREK of Knox.

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,** the Commuter and Passenger Rail Advisory Task Force is established to
4 evaluate and prioritize investments in commuter and passenger rail service in the State
5 through the development of a Maine commuter and passenger rail plan; and

6 **Whereas,** Maine communities are expanding their efforts to secure funding for
7 passenger rail service; and

8 **Whereas,** Maine's very high burden of per capita road maintenance imposes an
9 increasingly unworkable cost burden on Maine's economy; and

10 **Whereas,** rail transit may offer more economical and appealing transportation and
11 community quality to the young workers that Maine needs to attract and retain; and

12 **Whereas,** in some regions of the State, rail transit may expedite more efficient,
13 enjoyable and prosperous downtown communities; and

14 **Whereas,** federal transportation funding priorities are increasingly recognizing the
15 economics and quality of life advantages of rail transit; and

16 **Whereas,** public allocations of rail development funds require justified priorities for
17 rail system support; and

18 **Whereas,** Maine's priorities for passenger rail facilities expansion have not yet been
19 researched and communicated through an adopted state rail plan; and

20 **Whereas,** the Passenger Rail Service Act, as established in the Maine Revised
21 Statutes, Title 23, chapter 621, established the Northern New England Passenger Rail
22 Authority for the general purpose of promoting passenger rail service and directs the
23 authority to take all actions that are reasonably necessary to initiate, establish or reinstate
24 regularly scheduled passenger rail service between points in the State and points inside
25 and outside the State; and

26 **Whereas,** the Northern New England Passenger Rail Authority is empowered to use
27 any services of the Department of Transportation that are available and expedient; and

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

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

35 **Sec. 1. Task force established. Resolved:** That the Department of
36 Transportation, referred to in this resolve as "the department," working with the Northern

1 New England Passenger Rail Authority, referred to in this Act as "the authority," shall
2 establish and convene the Commuter and Passenger Rail Advisory Task Force, referred to
3 in this resolve as "the task force," to evaluate and prioritize investments in commuter and
4 passenger rail service between communities in this State to help target available funding
5 and establishment of rail service where it is most appropriate in the major economic and
6 population centers of this State in order to reduce the costs to the State, its municipalities
7 and its citizens of travel to and from work, business activities and entertainment and
8 recreation activities; and be it further

9 **Sec. 2. Task force membership. Resolved:** That the department shall invite
10 the participation of the following persons in the task force:

11 1. Four regional transportation planners, one each from the Portland Area
12 Comprehensive Transportation System, Androscoggin Transportation Resource Center,
13 Bangor Area Comprehensive Transportation System and the midcoast region;

14 2. Two representatives of major private employers from the greater Portland area,
15 Lewiston-Auburn area or Bangor area, each representing a different employer;

16 3. One representative of a group that has expertise in transit services in the State that
17 are complementary to rail service;

18 4. One representative of the Department of Transportation, who has experience in
19 rail planning;

20 5. One representative of statewide environmental organizations;

21 6. One representative of a contracting company in this State with expertise and
22 experience in the construction of rail line facilities;

23 7. One interested citizen of the State, who is informed with respect to rail service
24 issues;

25 8. One representative of the Northern New England Passenger Rail Authority; and

26 9. One representative from the Legislature; and be it further

27 **Sec. 3. Duties. Resolved:** That the department, working with the authority, shall
28 convene the task force at least once a month to develop a Maine commuter and passenger
29 rail plan, referred to in this resolve as "the plan." The task force shall research and
30 identify investment priorities for the establishment of commuter and passenger rail
31 service between communities in this State. The plan must be based on existing studies
32 and analyses. The plan must identify the markets and infrastructure and the potential to
33 remove automobile traffic from excessively used roadways. The plan must serve to
34 reduce highway construction and maintenance costs and to reduce road congestion and
35 lessen transportation costs for citizens living in cities in this State. The commuter rail
36 investment priorities identified by the task force must be included in the plan. The task
37 force shall recommend and include in the plan routes for passenger and commuter rail
38 development; projected operational and capital investment costs; logistical issues;
39 requirements for equipment, operators and track upgrades; and proposed sources of

1 funding. The task force shall make recommendations regarding connections at rail
2 terminal sites to bus transit and bicycle, trail and pedestrian access points and routes to
3 destinations from terminals. The task force may include in the plan total cost estimates
4 and environmental and service quality comparisons to other transportation investments
5 for achieving similar results. If comparisons are included in the plan, the comparisons
6 must include a comparison of rail service to the continued reliance on private motor
7 vehicles and bus service, including the costs of road and bridge construction and
8 maintenance.

9 The task force must work closely with the State's regional planning councils,
10 economic development districts, metropolitan planning organizations and Indian tribal
11 governments, must prioritize their recommendations into the task force findings and must
12 ensure that multimodal investments and connections are designed in a manner that
13 integrates their collective priorities with those of the State; and be it further

14 **Sec. 4. Chairs. Resolved:** That the representative of the Department of
15 Transportation and the representative of the Northern New England Passenger Rail
16 Authority shall serve as cochairs; and be it further

17 **Sec. 5. Staff assistance. Resolved:** That the department shall provide necessary
18 staffing services to the task force; and be it further

19 **Sec. 6. Compensation. Resolved:** That the members of the task force serve
20 without compensation or reimbursement of expenses; and be it further

21 **Sec. 7. Report. Resolved:** That the department shall report the findings and the
22 plan of the task force to the Joint Standing Committee on Transportation no later than
23 February 28, 2014. The Joint Standing Committee on Transportation may submit a bill to
24 the Second Regular Session of the 126th Legislature on the subject matter of the report.

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

27 SUMMARY

28 This resolve directs the Department of Transportation to establish and convene the
29 Commuter and Passenger Rail Advisory Task Force to evaluate and prioritize
30 investments in commuter and passenger rail service between communities in this State in
31 order to expedite development of efficient commuter rail service as appropriate in the
32 major economic and population centers of this State to reduce costs to the State, its
33 municipalities and its citizens of travel to and from work, business activities and
34 entertainment and recreation activities. The task force must develop a Maine commuter
35 and passenger rail plan, which must include investment priorities for the establishment of
36 commuter and passenger rail service between communities in this State. The plan must
37 be based on existing studies and analyses and explore the markets and infrastructure and
38 the potential to remove automobile traffic from excessively used roadways. The plan
39 must also provide for the reduction of highway construction and maintenance costs and
40 identify ways to limit the need for parking facilities and to reduce road congestion and

1 lessen transportation costs for citizens living in cities in this State. The Department of
2 Transportation must report the findings and the plan of the task force to the Joint
3 Standing Committee on Transportation no later than February 28, 2014. The Joint
4 Standing Committee on Transportation may submit a bill to the Second Regular Session
5 of the 126th Legislature on the subject matter of the report.