

To: Municipal Officials Interested in the Highway Simplification Study
Legislative Policy Committee
Maine Service Centers Coalition

From: Kate Dufour, Maine Municipal Association Staff
Richard Trahey, Maine Service Centers Coalition Staff

Date: October 2, 2009

Re: Rumors and Meeting Date (October 15, 2009)

On Tuesday, September 29th, MMA's Kate Dufour had the opportunity to meet with Department of Transportation (DOT) Deputy Commissioner, Bruce Van Note, to discuss two issues: 1) the circulating suggestions that DOT is in the process of shifting all responsibilities over state aid roads to municipalities and eliminating the funding for the local road assistance program, known as Urban/Rural Initiative Program (URIP); and 2) the scheduling of the first meeting of the Highway System Simplification Study Group established by the Maine Legislature in the last session. (The section of the law creating the study as well as the findings used by the Transportation Committee to establish the study is attached to this e-mail.)

Rumors. At this point, the Department wants to clarify that the suggestion that DOT is in the process of designing a plan to unilaterally "turn back" all state aid roads to municipalities is not true. According to the Deputy Commissioner, nothing will happen without MMA and other policy stakeholders being fully involved and until the Legislature acts on a recommendation.

First, the Department has not designed such a plan. Bruce explained that he had discussed with his maintenance staff the need to simplify the current classification system, which includes state highway, state aid (i.e., minor and major collectors) and local roads. During those discussions it was theorized that one possible way to make the existing system easier to comprehend and administer would be to reclassify all of Maine's roads under the federal classification system, which includes interstate, arterial, major collector, minor collector and local roads.

Classification is one thing, assignment of responsibility is another.

During these discussions Bruce also discussed the possibility of the state being responsible for major collector roads and municipalities responsible for minor collector roads. Each level of government would be responsible for all year-round (i.e., summer and winter) maintenance and repair of these roads. To put this proposal into context, there are 2,132 miles of minor collector roads and 2,146 miles of major collector roads in Maine. Under existing law, generally, these state aid roads are maintained by the state in the summer and by the municipality in the winter. State aid roads in urban compact areas are maintained by the municipalities year-round.

The Department claims that it has put this idea on the table only as a “what if” to prepare DOT crews for the possibility of the added work of plowing all major collector road miles. As a result of those discussions, however, rumors have been circulating that the state will be turning back all state aid roads to municipalities. In response to those rumors, the Department now wants to make it clear to all municipal officials that the state does not have a predesigned plan, would not implement such a plan without discussing details with the municipal community, and would not under any circumstance move forward with a plan that would be implemented overnight and shift poorly constructed state aid roads to municipalities.

To act on that information, the Department is expressing an interest in establishing a partnership with municipal officials in order to design a plan to simplify the existing state aid road system. In addition, the funding for the local road assistance program is not in jeopardy. In fact, Bruce said that he is committed to making the program better for municipalities. For example, he is willing to work on a proposal to eliminate the “strings” associated with the existing program that require that all state aid for local road funds be used for capital improvements, rather than on equipment and materials, such as sand and salt.

In a nutshell, everything is on the table for discussion and negotiation.

First Meeting. As a result of that discussion, we have scheduled a meeting of all interested municipal officials, DOT representatives and other stakeholders for **Thursday, October 15th from 9:30 to 12:00.** The meeting will occur in Augusta, but the location has not yet been determined.

The purpose of the meeting is to provide background information on why some people believe the study is needed, answer questions, gauge municipal interest and explain how the study process will work. If municipal officials are satisfied with the existing process and are not interested in moving forward with the discussions, the group will not be reconvened. If municipal officials do not believe a change is necessary, the Department will move forward with designing an alternative proposal to meet their legislative charge.

That being said, MMA staff want to stress that municipal officials should not feel as though they have no other choice but to participate in the process. If they believe that there is no need to change the existing system, then MMA staff will have no problems or reservations representing that decision before the state Legislature.

If there is interest in moving forward, over the next several months interested municipal officials will be asked to play one of two roles: 1) to be a member of the larger Simplification Sounding Board; or 2) to be a member of the smaller Policy Work Group.

Sounding Board. The 50+ member Sounding Board will be responsible for providing feedback, information, suggestions and ideas to the Policy Work Group. Members of the Board will be represented by interested municipal officials, members of the Legislature’s Transportation Committee and others who have expressed an interest in this study. It is anticipated that the Board will meet up to four times over the next twelve months. The Sounding

Board will be asked to respond to surveys and provide comments and suggestions on proposals as they are developed by the Policy Work Group.

Policy Work Group. A smaller group of 10-15 people including municipal officials, DOT staff and other policy stakeholders named in the study language will form the Policy Working Group. The Group will be responsible for designing the details of a new state/municipal road classification system, identify which level of government has responsibility for which classification and related roles and responsibilities and devising possible implementing legislation. The Group will take into consideration and incorporate the comments, concerns and suggestions of the Sounding Board. Group members can expect to meet up to twice per month for several months, perhaps up to a year if needed. The Group will be responsible for establishing technical subcommittees to work on issues such as standards, project operations and cost impacts, etc.

We are seeking up to nine municipal officials to volunteer to serve on the Policy Work Group. If more than nine municipal officials indicate an interest in serving on the Policy Work Group, then staff from MMA and the Maine Service Center Coalition will present recommendations to MMA's Executive Committee for appointment to the Group. When making a recommendation to the Executive Committee, staff will make sure that three key components are used to determine the nine municipal members: 1) the municipality's population; 2) geography; and 3) a mix of public works experience and elected officers or municipal management.

As MMA's representative to the effort, Kate Dufour will provide staff level assistance to the Policy Work Group and coordinate communication efforts between the Policy Work Group, Sounding Board and MMA's Legislative Policy Committee (LPC). As you know, MMA's support of the final product will be contingent on its LPC's position on the matter. That being said, throughout this process Kate's priority will be to ensure that members of Policy Work Group, Sounding Board, LPC and any other interested parties get the information and assistance they need to move the process forward.

We look forward to seeing you on **Thursday, October 15th**. In order to find the right location for this meeting, it would be most appreciated if you could let Kate know by *Tuesday, October 13th* if you will be attending the meeting. Also, at that meeting we will be asking for volunteers to serve on the Sounding Board and Policy Work Group, so please starting thinking about whether or not you could make the required time commitments. It is likely that all Sounding Board and Policy Work Group meetings will be convened in the Augusta area.

Thank you for your time and consideration of this important issue. If you have any questions about this process or hear any other rumors, please feel free to contact Kate at kdufour@memun.org or 1-800-452-8786.