

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Allow the Widening of a Portion of the Maine Turnpike**

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

**Sec. 1. 23 MRSA §1965, sub-§1, ¶D**, as amended by PL 1995, c. 341, §1, is further amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near Kittery in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded beyond 3 lanes for each direction of travel from ~~Exit 1~~the southern terminus of the turnpike to, and including, Exit 6~~mile marker 53~~ and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature.

Except as provided in section 1965-A, a license, permit, or approval necessary for the widening or expansion of the turnpike may not be issued by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy, as established in section 73, as well as rules implementing that policy;

**Sec. 2. 23 MRSA §1965-B** is enacted to read:

### **§ 1965-B. Widening of the turnpike between mile marker 44 and mile marker 53**

**1. Evaluation of reasonable alternatives.** The authority shall complete an evaluation of reasonable alternatives to widening the turnpike to 3 lanes for each direction of travel in the corridor from mile marker 44 to mile marker 53. To evaluate reasonable alternatives, the authority shall complete an alternative mode feasibility study that examines regional travel patterns and demographics and provides an inventory of existing transportation infrastructure and employer-based commuter programs in the turnpike corridor from mile 44 to mile 53.

In conducting the evaluation required by this subsection, the authority shall provide for public participation consistent with section 73 and the rules adopted pursuant to that section. Completion of the evaluation required by this subsection satisfies the alternative evaluation requirements of section 73 and of the rules adopted pursuant to that section.

**2. Review of alternatives.** Upon completing the evaluation required under subsection 1, the authority shall review the alternatives to determine whether the alternatives can meet identified transportation deficiencies or needs in a safe manner at a reasonable cost with available technology. If, based on the evaluation, the authority finds that the alternatives do not meet the identified deficiencies or needs:

A. A final license, permit or approval necessary for the widening or expansion of the turnpike may be issued by the appropriate state agency; and

B. The alternative evaluation and preference requirements of section 73 and rules adopted pursuant to that section are considered satisfied.

**Sec. 3. 23 MRSA §1968, sub-§1**, as amended by PL 2003, c. 566, §1, is further amended to read:

**1. Turnpike revenue bonds.** In addition to bonds outstanding pursuant to any other provision of this chapter, the authority may provide by resolution from time to time for the issuance of turnpike revenue bonds, including notes or other evidences of indebtedness or obligations defined to be bonds under this chapter, but not exceeding ~~\$361,000,000~~\$386,000,000 in the principal amount at any one time outstanding exclusive of refundings, for any purpose described in section 1969, subsection 1.

### SUMMARY

This bill authorizes the widening of the Maine Turnpike to 3 lanes for each direction of travel from mile marker 44 to mile marker 53 if, after completing an evaluation of reasonable alternatives, as required by the Sensible Transportation Policy Act, the Maine Turnpike Authority determines that reasonable alternatives to the widening do not meet the identified need. This bill also increases the Maine Turnpike Authority's bonding limit to allow for construction of this project.