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An Act To Ensure That the Maine Turnpike Authority Conducts Public Hearings for Construction and Reconstruction Projects and That All Public Records of the Maine Turnpike Authority Are Open for Inspection

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

Sec. 1. 23 MRSA §63, as repealed and replaced by PL 2001, c. 158, §1, is amended to read:

§ 63. Records of right-of-way division confidential

The records and correspondence of the right-of-way divisions of the Department of Transportation and the Maine Turnpike Authority relating to negotiations for and appraisals of property, pending the final settlement for all claims on the project to which they relate, and the records and data of the department and the Maine Turnpike Authority relating to engineering estimates of costs on projects to be put out to bid are confidential and may not be open for public inspection. The records and correspondence of the right-of-way divisions relating to negotiations for and appraisals of property must be open for public inspection after 9 months following the completion date of the project according to the record of the department or authority. Records of claims that have been appealed to the Superior Court must be open for public inspection following the award of the court.

Sec. 2. 23 MRSA §1961, sub-§5, as enacted by IB 1991, c. 1, §3, is amended to read:

5. Transportation decisions. Transportation planning decisions, capital investment decisions and project decisions of the Maine Turnpike Authority are governed by and must comply with the transportation policy set forth in section 73 and rules implementing that policy. Prior to any construction or reconstruction project, the authority must conduct public hearings that provide municipalities and other political subdivisions of the State and members of the public notice of and opportunity to comment on transportation planning decisions, capital investment decisions and project decisions.

SUMMARY

This bill provides that all public records, as defined in Maine's freedom of access laws, of the Maine Turnpike Authority must be open for public inspection.

The bill also directs the Maine Turnpike Authority to conduct public hearings that give municipalities and other political subdivisions of the State and members of the public notice of and opportunity to comment on transportation planning, capital investment and project decisions prior to any construction or reconstruction project on the turnpike.