

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

Amend the bill by inserting before section 1 the following:

‘**Sec. 1. 23 MRSA §1961, sub-§7**, as enacted by PL 2011, c. 302, §4, is amended to read:

**7. Funds for department projects.** As part of the budget presented in subsection 6, the authority shall allocate funds for department projects in an amount such that the 3-year rolling average of the allocation equals at least 5% of annual operating revenues. The requirement under this subsection is subordinate to the authority's obligation to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the authority. All department projects are subject to mutual agreement of the authority and the department.

For purposes of this subsection, annual operating revenues do not include any interest earned from the authority's capital and debt service reserve funds or the amount of tolls or other income that is discounted, rebated or refunded by the authority.’

Amend the bill by inserting after section 1 the following:

‘**Sec. 2. 23 MRSA §1964, sub-§6**, as enacted by PL 1981, c. 595, §3, is amended to read:

**6. Operating revenues.** "Operating revenues" means ~~funds available to~~ income of the Maine Turnpike Authority from fees, fares, tolls, rental of concessions and miscellaneous revenue and interest ~~not otherwise pledged or dedicated.’~~

Amend the bill by striking out all of section 2 and inserting the following:

‘**Sec. 2. 23 MRSA §1973, sub-§4**, as amended by PL 1995, c. 410, §§1 and 2, is further amended to read:

**4. Rates.** The rate of toll at each toll facility may be revised from time to time.

~~A. The authority shall establish a system of commuter discounts to provide passenger vehicles with reduced rates that may not exceed 50% of the normal passenger vehicle toll.~~

~~A-1. The authority is prohibited from imposing variable surcharges based on the time of day. Notwithstanding any other provisions of law, the evaluation of congestion pricing as a reasonable transportation alternative to widening or expansion of the Maine Turnpike to 3 lanes in each direction from Exit 1 to Exit 6A on a projected basis without actual implementation of congestion pricing on a demonstration basis meets the criteria of section 73 and chapter 24.~~

~~B. Reduced~~A reduction in the rates of fees, fares and tolls shall may be made given to any class of vehicle based upon volume of use.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## **SUMMARY**

This amendment retains most of the provisions of the bill and:

1. Clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its annual operating revenues for Department of Transportation projects is subordinate to the authority's obligation to pay its operating expenses and bond debt;
2. Clarifies that the definition of "operating revenues" includes amounts pledged to debt service and amounts required for operating expenditures; and
3. Amends the provision in the bill relating to a prohibition on imposing variable pricing based on time of day. The amendment retains language allowing such a prohibition.

### **FISCAL NOTE REQUIRED**

**(See attached)**