

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 362

S.P. 142

In Senate, February 12, 2013

**An Act To Prohibit Use of Public Funds for a Private
Transportation Study**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator VALENTINO of York.
Cosponsored by Representative THERIAULT of Madawaska and
Senators: BOYLE of Cumberland, MAZUREK of Knox, Representatives: PEOPLES of
Westbrook, POWERS of Naples.

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

2 **Sec. 1. 23 MRSA §4251, sub-§4, ¶F,** as enacted by PL 2009, c. 648, Pt. A, §1, is
3 amended to read:

4 F. If the proposed transportation facility is to be supported by tolls or other user fees,
5 the private entity must provide a traffic and revenue study prepared by an expert
6 acceptable to the department and national bond rating agencies. The private entity
7 must also provide a finance plan consistent with the traffic and revenue study that
8 identifies the proposal costs, revenues by source, financing, major assumptions,
9 internal rate of return on private investments and whether any government funds are
10 assumed to deliver a cost-feasible project and that provides a total cash flow analysis
11 beginning with implementation of the project and extending for the term of the
12 agreement. The cost of any traffic and revenue study and finance plan submitted by a
13 private entity pursuant to this paragraph must be funded by the private entity. The
14 department may not expend its own funds for the purpose of funding a study or plan
15 in connection with the proposal of a private entity.

16 **SUMMARY**

17 This bill prohibits the use of Department of Transportation funds to pay for a traffic
18 and revenue study or finance plan in connection with a proposal for a transportation
19 facility made by a private entity.