

# MAINE STATE LEGISLATURE

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L.D. 78

Date: 3/10/15

(Filing No. S-4 )

**TRANSPORTATION**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**127TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 26, L.D. 78, Bill, "An Act Regarding Limitations on Certain Storm Water Fees"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 38 MRSA §420-E is enacted to read:

**§420-E. Municipal storm water ordinances; transportation systems**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Adjunct facility" includes, but is not limited to, an intermodal transportation facility, freight yard, railroad station and toll facility.

B. "Commercial property" includes retail service plazas, tourist information centers and other property whose primary function is commercial activity.

C. "Transportation system" includes, but is not limited to, a roadway; bridge; bike path, sidewalk or weighing station adjacent to a roadway or bridge; railroad line; pier; port; airport; trail; and adjunct facility to move persons or goods. "Transportation system" does not include an office building, commercial property, maintenance facility or park and ride lot.

**2. Transportation system not subject to fee or tax.** The transportation system under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority is not subject to any fee or tax imposed pursuant to a municipal storm water ordinance.'

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

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**SUMMARY**

This amendment provides that a transportation system under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority is not subject to any fee or tax imposed pursuant to a municipal storm water ordinance. The amendment provides that a transportation system includes, but is not limited to, a roadway; bridge; bike path, sidewalk or weighing station adjacent to a roadway or bridge; railroad line; pier; port; airport; trail; and adjunct facility to move persons or goods. The amendment also provides that a transportation system does not include an office building, commercial property, maintenance facility or park and ride lot.

**FISCAL NOTE REQUIRED**  
(See attached)



# 127th MAINE LEGISLATURE

LD 78

LR 888(02)

**An Act Regarding Limitations on Certain Storm Water Fees**

**Fiscal Note for Bill as Amended by Committee Amendment 'A'**  
**Committee: Transportation**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Potential current biennium cost increase - Highway Fund  
Current biennium cost increase - Maine Turnpike Authority

### Fiscal Detail and Notes

Highway Fund costs to the Department of Transportation could increase if the department were to build a maintenance facility in a municipality that was to assess a storm water maintenance fee.

The Maine Turnpike Authority currently owns a park and ride lot in Lewiston that would now be assessed a stormwater maintenance fee of approximately \$4,000 per year.