

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1292

S.P. 522

In Senate, March 25, 2025

**An Act to Codify the Maine Turnpike Authority's Contributions to  
the Highway Fund with Regard to the Sensible Transportation  
Policy Act**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BRENNER of Cumberland.  
Cosponsored by Representative DUCHARME of Madison and  
Senators: BENNETT of Oxford, BLACK of Franklin, Representatives: CARLOW of Buxton,  
DILL of Old Town, EATON of Deer Isle, HEPLER of Woolwich, MONTELL of Gardiner,  
RAY of Lincolnville.

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

2           **Sec. 1. 23 MRSA §1961, sub-§7**, as amended by PL 2011, c. 476, §1, is repealed.

3           **Sec. 2. 23 MRSA §1961, sub-§7-A** is enacted to read:

4           **7-A. Excess funds to be allocated to department.** On a quarterly basis, the authority  
5 shall transfer to the Highway Fund, to be used by the department, any revenues and reserves  
6 held by the authority exceeding the sum of:

7           A. The authority's legislatively approved revenue fund operating budget for the  
8 previous calendar year or current calendar year if no future operating budget has been  
9 legislatively approved, including a general contingency of up to 10%;

10          B. The amount required for the authority's reserve maintenance fund as determined by  
11 the most recent annual maintenance report of the authority's consulting engineer;

12          C. The amount required for the authority's debt service fund and debt service reserve  
13 fund, as determined by the authority's bond resolution;

14          D. The amount required to support the debt service on any of the authority's bonds  
15 dedicated to department projects and not accounted for by paragraph C;

16          E. Any additional amount specifically required to be kept in reserve by the authority's  
17 bond resolution for the general maintenance and preservation of the turnpike; and

18          F. Any additional amount allocated to a planning or capital project outside of the  
19 authority's general maintenance and preservation duty that has been reviewed and  
20 approved by both the department and Legislature and found by those bodies to be of  
21 greater funding priority than any other department projects and to be consistent with  
22 section 73.

23          **Sec. 3. 23 MRSA §1974, sub-§1, ¶F**, as amended by PL 1993, c. 410, Pt. MM, §9,  
24 is further amended to read:

25           F. Repayment to the Federal Government for grants or loans that were used in  
26 connection with the construction or reconstruction of any portion of the turnpike or of  
27 any interconnecting access roads, but only to the extent that the repayment is required  
28 in order for the authority to maintain or establish tolls on the turnpike; ~~and~~

29          **Sec. 4. 23 MRSA §1974, sub-§1, ¶G**, as enacted by PL 1987, c. 457, §7, is  
30 amended to read:

31           G. Payment or repayment to the Federal Government or any agency of the Federal  
32 Government of any charges, taxes or other payments required by law in connection  
33 with the construction, reconstruction or operation of the turnpike or the financing or  
34 refinancing of the turnpike or any part of the turnpike; ~~and~~

35          **Sec. 5. 23 MRSA §1974, sub-§1, ¶H** is enacted to read:

36           H. Contributions to the Highway Fund, which include, on a quarterly basis, any  
37 revenues and reserves held by the authority identified in section 1961, subsection 7-A.

38          **Sec. 6. 23 MRSA §1977**, as amended by PL 2011, c. 302, §16, is further amended  
39 to read:

40          **§1977. Trust funds**

Subject to any agreement with the bondholders, all revenue received from the operation of the turnpike after deducting expenditures required for the construction, reconstruction, operation and maintenance of the turnpike and for the payment of the principal and the interest on the bonds of the authority or otherwise in accordance with the provisions thereof, ~~and after deducting the amount provided to the department pursuant to section 1961, subsection 7,~~ must be held and invested by the authority department to establish trust funds for reserve and sinking funds for the retirement of bonded indebtedness.

## SUMMARY

This bill specifies that the Maine Turnpike Authority must contribute, on a quarterly basis, to the Highway Fund any revenues and reserves exceeding the sum of the authority's legislatively approved operating budget, reserve maintenance fund, debt services fund and debt service reserve fund, the amount required to support the debt service, any additional amount required to be kept in reserve, any additional amount allocated to a planning or capital project outside the authority's general maintenance and preservation duty that has been legislatively approved and approved by the Department of Transportation and found to be a greater priority than any other department projects and to be consistent with the Sensible Transportation Policy Act.