

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1323

S.P. 489

In Senate, April 13, 1995

An Act to Widen the Maine Turnpike.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'May M. Ross'.

MAY M. ROSS
Secretary of the Senate

Presented by President BUTLAND of Cumberland.
Cosponsored by Senators: ABROMSON of Cumberland, AMERO of Cumberland, BEGLEY of Lincoln, BENOIT of Franklin, CAREY of Kennebec, CARPENTER of York, CASSIDY of Washington, CIANCHETTE of Somerset, FERGUSON of Oxford, HALL of Piscataquis, HARRIMAN of Cumberland, HATHAWAY of York, KIEFFER of Aroostook, LAWRENCE of York, LORD of York, MILLS of Somerset, PENDEXTER of Cumberland, STEVENS of Androscoggin, Representatives: BUCK of Yarmouth, CARLETON of Wells, CHICK of Lebanon, CLOUTIER of South Portland, FARNUM of South Berwick, GREENLAW of Standish, JOYCE of Biddeford, JOYNER of Hollis, KERR of Old Orchard Beach, LEMONT of Kittery, LIBBY of Kennebunk, LOVETT of Scarborough, MARSHALL of Eliot, MURPHY of Berwick, NICKERSON of Turner, OTT of York, REED of Falmouth, SPEAR of Nobleboro, TAYLOR of Cumberland, TUFTS of Stockton Springs, UNDERWOOD of Oxford.

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

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Sec. 1. 23 MRSA §1965, sub-§1, ¶D, as amended by PL 1993, c. 410, Pt. MM, §4, is further amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near Kittery in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded other than as provided in paragraph V without the express approval of the Legislature.;

~~A license, permit, or approval necessary for the widening or expansion of the turnpike may not be issued by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy as well as rules implementing that policy.~~

Sec. 2. 23 MRSA §1965, sub-§1, ¶T, as amended by PL 1993, c. 612, §4, is further amended to read:

T. Take all other lawful action necessary and incidental to these powers; and

Sec. 3. 23 MRSA §1965, sub-§1, ¶U, as enacted by PL 1993, c. 612, §5, is amended to read:

U. Adopt rules, in accordance with the Maine Administrative Procedure Act, to establish a logo signing program on the turnpike. The authority may charge fees for signs that contain names, symbols, logos or other identifiers of specific commercial enterprises. This paragraph may not be interpreted as limiting the authority's general power to collect fees under paragraph H.;

Sec. 4. 23 MRSA §1965, sub-§1, ¶V is enacted to read:

V. Notwithstanding the requirements of section 1961, subsection 5, expand or widen the traveled way of the turnpike to 3 lanes for each direction of travel from Exit 1 to and including Exit 6-A.

Sec. 5. 23 MRSA §1974, sub-§1, ¶C, as amended by PL 1987, c. 457, §6, is further amended to read:

C. Construction or reconstruction to improve the turnpike to meet greater traffic demands or improve safety of operation, including reserves therefor, as authorized in paragraph E, except that the traveled way shall may not be

2 widened or expanded beyond the limits set forth in section
1965, subsection 1, ~~paragraph~~ paragraphs D and V without the
4 express approval of the Legislature;

6 **Sec. 6. Statutory referendum procedure; submission at statewide
election; form of question; effective date.** This Act must be submitted
8 to the legal voters of the State of Maine at a statewide election
to be held on the Tuesday following the first Monday of November
10 following passage of this Act. The municipal officers of this
State shall notify the inhabitants of their respective cities,
12 towns and plantations to meet, in the manner prescribed by law
for holding a statewide election, to vote on the acceptance or
rejection of this Act by voting on the following question:

14 "Do you favor giving the Maine Turnpike Authority the
16 authority to expand or widen the traveled way to 3 lanes or
more for each direction of travel from Exit 1 to and
18 including Exit 6-A on the turnpike?"

20 The legal voters of each city, town and plantation shall
vote by ballot on this question, and shall designate their choice
22 by a cross or check mark placed within a corresponding square
below the word "Yes" or "No." The ballots must be received,
24 sorted, counted and declared in open ward, town and plantation
meetings and returns made to the Secretary of State in the same
26 manner as votes for members of the Legislature. The Governor
shall review the returns and, if it appears that a majority of
28 the legal votes are cast in favor of the Act, the Governor shall
proclaim that fact without delay, and the Act takes effect 30
30 days after the date of the proclamation.

32 The Secretary of State shall prepare and furnish to each
city, town and plantation all ballots, returns and copies of this
34 Act necessary to carry out the purpose of this referendum.

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38 **STATEMENT OF FACT**

40 This bill allows, after approval by the voters at
referendum, the Maine Turnpike Authority to widen the Maine
Turnpike.