

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 320

S.P. 103

January 22, 2007

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### An Act To Allow the Widening of a Portion of the Maine Turnpike

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Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAMON of Hancock.  
Cosponsored by Representative HOGAN of Old Orchard Beach and  
Senators: DIAMOND of Cumberland, ROSEN of Hancock, SAVAGE of Knox,  
Representatives: CROSTHWAITE of Ellsworth, FISHER of Brewer, MAZUREK of  
Rockland, TARDY of Newport.

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

2 **Sec. 1. 23 MRSA §1965, sub-§1, ¶D,** as amended by PL 1995, c. 341, §1, is  
3 further amended to read:

4 D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or  
5 near Kittery in York County to a point at or near Augusta in Kennebec County,  
6 except that the traveled way may not be widened or expanded beyond 3 lanes for  
7 each direction of travel from ~~Exit 4~~ the southern terminus of the turnpike to, and  
8 ~~including, Exit 6A, mile marker 53~~ and beyond 2 lanes for each direction of travel  
9 elsewhere on the turnpike without the express approval of the Legislature.

10 Except as provided in section 1965-A, a license, permit, or approval necessary for the  
11 widening or expansion of the turnpike may not be issued by any state agency unless  
12 that agency makes an affirmative finding that the widening or expansion is consistent  
13 with state transportation policy, as established in section 73, as well as rules  
14 implementing that policy;

15 **Sec. 2. 23 MRSA §1965-B** is enacted to read:

16 **§1965-B. Widening of the turnpike between mile marker 44 and mile marker 53**

17 **1. Evaluation of reasonable alternatives.** The authority shall complete an  
18 evaluation of reasonable alternatives to widening the turnpike to 3 lanes for each  
19 direction of travel in the corridor from mile marker 44 to mile marker 53. To evaluate  
20 reasonable alternatives, the authority shall complete an alternative mode feasibility study  
21 that examines regional travel patterns and demographics and provides an inventory of  
22 existing transportation infrastructure and employer-based commuter programs in the  
23 turnpike corridor from mile 44 to mile 53.

24 In conducting the evaluation required by this subsection, the authority shall provide for  
25 public participation consistent with section 73 and the rules adopted pursuant to that  
26 section. Completion of the evaluation required by this subsection satisfies the alternative  
27 evaluation requirements of section 73 and of the rules adopted pursuant to that section.

28 **2. Review of alternatives.** Upon completing the evaluation required under  
29 subsection 1, the authority shall review the alternatives to determine whether the  
30 alternatives can meet identified transportation deficiencies or needs in a safe manner at a  
31 reasonable cost with available technology. If, based on the evaluation, the authority finds  
32 that the alternatives do not meet the identified deficiencies or needs:

33 A. A final license, permit or approval necessary for the widening or expansion of  
34 the turnpike may be issued by the appropriate state agency; and

35 B. The alternative evaluation and preference requirements of section 73 and rules  
36 adopted pursuant to that section are considered satisfied.

37 **Sec. 3. 23 MRSA §1968, sub-§1,** as amended by PL 2003, c. 566, §1, is further  
38 amended to read:

1           **1. Turnpike revenue bonds.** In addition to bonds outstanding pursuant to any other  
2 provision of this chapter, the authority may provide by resolution from time to time for  
3 the issuance of turnpike revenue bonds, including notes or other evidences of  
4 indebtedness or obligations defined to be bonds under this chapter, but not exceeding  
5 ~~\$361,000,000~~ \$386,000,000 in the principal amount at any one time outstanding  
6 exclusive of refundings, for any purpose described in section 1969, subsection 1.

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### SUMMARY

8           This bill authorizes the widening of the Maine Turnpike to 3 lanes for each direction  
9 of travel from mile marker 44 to mile marker 53 if, after completing an evaluation of  
10 reasonable alternatives, as required by the Sensible Transportation Policy Act, the Maine  
11 Turnpike Authority determines that reasonable alternatives to the widening do not meet  
12 the identified need. This bill also increases the Maine Turnpike Authority's bonding limit  
13 to allow for construction of this project.