

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 861, L.D. 1180, Bill, "An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 23 MRSA §73-A is enacted to read:

§73-A. Transportation planning incentive funding

In order to further the purposes and policies of section 73 and Title 30-A, chapter 187, subchapter 2, encourage sound transportation planning and protect the integrity of regional transportation systems and thereby prevent or reduce the need for costly future capacity or retrofitting expenditures associated with unmanaged development along state transportation corridors, the department shall administer a program of transportation planning incentive funding as described in this section.

1. Community transportation plan. To be eligible for incentive funding under this section, a municipality, on its own or in collaboration with neighboring communities, must adopt a community transportation plan addressing the manner in which development along state transportation corridors in the municipality or municipalities is to occur and each municipality that adopts the plan must incorporate any land use development strategies recommended in the plan into its local ordinances. The community transportation plan and related policies, programs and ordinances must be designed to meet the objectives of the Sensible Transportation Policy Act and rules adopted pursuant to that Act and to the greatest practicable extent reduce the need to make costly transportation capacity and retrofitting improvements in the future. The department shall provide technical assistance to municipalities in developing community transportation plans through regional planning councils or other agencies or consultants designated by the department. For purposes of this section, "community transportation plan" means a transportation plan developed by one or more communities along a state transportation corridor, including but not limited to a community transportation plan that is part of a comprehensive plan developed pursuant to Title 30-A, chapter 187,

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1 subchapter 2 that is designed to strengthen the functional viability and lengthen the long-
2 term life of state transportation corridors.

3 2. Transportation incentive funding. A municipality or a group of municipalities
4 may apply for transportation incentive funding under this section by filing with the
5 department a community transportation plan together with related policies, programs and
6 ordinances, an application for incentive funding on a form provided by the department
7 and a proposal describing the transportation improvements for which the incentive
8 funding will be used. The department shall authorize incentive funding amounts, within
9 available funds, based on a competitive rating system established by the department by
10 rule. The department shall publicize available funding at least biennially. Incentive
11 funding must be commensurate with the merits of a plan and related policies, programs
12 and ordinances and for an amount that does not exceed the estimated cost of the specific
13 investment proposal. The projected transportation-related avoided costs from
14 implementation of the community transportation plan must exceed the amount of the
15 incentive funding as determined by the department in its rating system. A municipality
16 must pay back to the department any incentive funding provided by the department under
17 this section if the municipality repeals or revises its community transportation plan or
18 related ordinance provisions within 10 years of receipt of the incentive funding, unless
19 the repeal or revision is approved by the department.

20 3. Rules. The department shall adopt rules to implement this section. Rules adopted
21 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
22 subchapter 2-A.

23 **Sec. 2. Funding.** The Department of Transportation shall solicit municipal
24 incentive funding applications under the Maine Revised Statutes, Title 23, section 73-A
25 beginning in fiscal year 2008-09 and shall identify suitable sources for providing
26 incentive funding beginning in fiscal year 2010-11. Funding must be derived from funds
27 available under the Department of Transportation's quality community initiative
28 programs.'

29 **SUMMARY**

30 This amendment replaces the bill but preserves its main purposes. The bill proposed
31 to direct the Department of Transportation to use \$1.5 million each year to provide
32 incentive grants to municipalities to manage development along state highways to reduce
33 the cost of future highway improvement projects. The amendment establishes a program
34 within the department to provide technical assistance and incentive grants to
35 municipalities that effectively manage the impacts of development along state
36 transportation corridors in a way that meets the Sensible Transportation Policy Act
37 objectives and avoids or minimizes the need for future costly transportation capacity or
38 retrofitting projects. The amendment directs the department to solicit municipal incentive
39 funding applications beginning in fiscal year 2008-09 and to identify suitable sources for

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1 providing incentive funding beginning in fiscal year 2010-11. Funding must be derived
2 from funds available under the department's quality community initiative programs.

3 **FISCAL NOTE REQUIRED**
4 **(See attached)**



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LD 1180

LR 2046(02)

An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl

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

Fiscal Note

No net fiscal impact

Fiscal Detail and Notes

This bill establishes new criteria for existing grant programs within the Department of Transportation and will have no net fiscal impact to the Highway Fund.