

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 878

H.P. 609

House of Representatives, March 5, 2009

An Act To Change the Status of the Road System at the Loring Development Authority

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: BROWNE of Vassalboro, CEBRA of Naples, EDGECOMB of Caribou, JOY
of Crystal, MARTIN of Eagle Lake, SUTHERLAND of Chapman, THERIAULT of
Madawaska, THOMAS of Ripley.

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

2 **Sec. 1. 5 MRSA §13080-F, sub-§4**, as enacted by PL 1993, c. 474, §1, is
3 amended to read:

4 **4. Highway maintenance.** The authority may maintain, repair, plow and control
5 public ways as a municipality under Title 23, Part 3 and the authority may enter into
6 service contracts as a municipality with the Department of Transportation and may
7 participate as a municipality in the Rural Road Initiative under Title 23, chapter 19,
8 subchapter 6. The authority shall consult and coordinate with the appropriate primary
9 impact community in appointing a road commissioner.

10 **Sec. 2. 23 MRSA §1803-B, sub-§1**, as amended by PL 2001, c. 565, Pt. K, §1, is
11 further amended to read:

12 **1. Distribution and use of funds.** Funds from the Urban-Rural Initiative Program
13 must be distributed to each eligible municipality, county or Indian reservation under the
14 Rural Road Initiative and the Urban Compact Initiative. For the purpose of this section,
15 the Loring Development Authority under Title 5, section 13080-F is considered a
16 municipality.

17 A. Rural Road Initiative funds must be distributed as follows.

18 (1) Funds are distributed at a rate of \$600 per year per lane mile for all rural state
19 aid minor collector roads and all public roads maintained by a municipality
20 located outside urban compact areas as defined in section 754, except that funds
21 are distributed at a rate of \$300 per year per lane mile for all seasonal public
22 roads.

23 (2) Effective July 1, 2000, funds must be used for capital improvements as
24 defined by this chapter, or for capital improvements to state aid minor collector
25 roads as described in subsection 5. In municipalities, counties and Indian
26 reservations in which there are no rural state aid minor collector roads, funds may
27 also be used for winter highway maintenance, acquisition of highway
28 maintenance equipment or the construction of highway maintenance buildings if
29 the governing legislative body affirmatively votes that its town ways and local
30 bridges are in sufficiently good condition so as to not require significant repair or
31 improvement for at least 10 years.

32 B. Urban Compact Initiative funds must be distributed as follows.

33 (1) Funds are distributed at a rate of \$2,500 per year per lane mile for summer
34 maintenance performed by municipalities on state and state aid highways in
35 compact areas as defined in section 754. For each lane mile beyond the 2nd lane
36 on a highway with more than 2 lanes, funds are reimbursed at a rate of \$1,250 per
37 lane mile for summer maintenance in compact areas. Funds are distributed at a
38 rate of \$1,700 per year per lane mile for winter maintenance performed by
39 municipalities on state highways in compact areas as defined in sections 754 and
40 1001 regardless of the number of lanes.

1 (2) Funds must be used only for the maintenance or improvement of public
2 roads.

3 C. The Urban-Rural Initiative Program payment defined as the combined Urban
4 Compact Initiative and Rural Road Initiative annual payment to any municipality,
5 county, or Indian reservation may not be less than the fiscal year 1999 Local Road
6 Assistance Program payment.

7 D. Beginning July 1, 2001, the annual funding dedicated for the Urban-Rural
8 Initiative Program must bear the same percentage relationship to the sum of the
9 General Fund and Highway Fund allocation to the department for highway purposes
10 as was provided during fiscal year 2000-01. On July 1, 2001 and every July 1st
11 thereafter, the commissioner shall administratively adjust the base funding and the
12 reimbursement rates per lane mile proportionately according to revenue available.

13 Sec. 3. 23 MRSA §1806, as enacted by PL 1981, c. 492, Pt. C, §26, is amended to
14 read:

15 **§1806. State service contracts**

16 The department may enter into service contracts with municipalities to perform at
17 cost maintenance, reconstruction or construction functions on local service roads. To the
18 extent state manpower and equipment permits, the department shall encourage
19 municipalities to coordinate their work on local service roads with the department. For
20 the purpose of this section, the Loring Development Authority under Title 5, section
21 13080-F is considered a municipality.

22 **SUMMARY**

23 This bill allows the Loring Development Authority to enter into service contracts and
24 to participate in the Rural Road Initiative with the Department of Transportation.