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**An Act To Hold the Maine Turnpike Authority Accountable  
for Its Obligation under Maine Law To Transfer Annual  
Surplus Revenue to the Department of Transportation  
for Road and Bridge Projects around the State**

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

**Sec. 1. 23 MRSA §1974-A** is enacted to read:

**§ 1974-A. Revenues for the Department of Transportation**

Pursuant to section 1961, subsection 2, the authority shall authorize any operating surplus of the turnpike to be transferred each year to the department for the costs of construction, reconstruction, operation and maintenance of state and state aid highways.

**1. Report.** Before January 15th of each year, the authority shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters on the level and proper determination of operating surplus provided to the department each year under this section.

**2. Failure to provide operating surplus; Attorney General.** The Attorney General, upon the Attorney General's own initiative or upon petition of the Commissioner of Transportation or of 50 or more residents of the State, shall investigate an allegation that the authority has failed to comply with the requirements of this section.

**Sec. 2. Maine Turnpike Authority; report to the Legislature.** The Maine Turnpike Authority shall submit a report to the Joint Standing Committee on Transportation no later than January 15, 2012 regarding the amount of operating surplus provided to the Department of Transportation annually after December 31, 1999 according to the Maine Revised Statutes, Title 23, section 1961. The report must include, but is not limited to, a detailed explanation and financial accounting information for the years in which an operating surplus did not occur. After reviewing the report, the joint standing committee may submit a bill to the Second Regular Session of the 125th Legislature concerning the subject matter of the report.

**SUMMARY**

Under current law, the Maine Turnpike Authority is required to transfer any operating surplus of the Maine Turnpike each year to the Department of Transportation. "Operating surplus" means the total annual operating revenues of the authority, after money has been put aside to pay reasonable operating expenses, to pay or to reserve for capital expenditures and to meet the requirements of any resolution authorizing bonds of the authority. This bill directs the authority to submit an annual report to the joint standing committee of the Legislature having jurisdiction over transportation matters regarding the level and proper determination of operating surplus provided to the department each year. This bill also directs

the Attorney General to investigate an allegation that the authority has failed to provide an operating surplus to the department. This bill also directs the authority to submit a onetime report to the committee no later than January 15, 2012 regarding the amount of operating surplus provided to the department annually after December 31, 1999. The bill gives the committee the authority to submit a bill to the Second Regular Session of the 125th Legislature concerning the subject matter of the report.