

MAINE STATE LEGISLATURE

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(New Title)
New draft of : S. P. 1, L. D. 1

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1515

S. P. 570

In Senate, April 12, 1963

Reported by Senator Brown of Hancock from Committee on Highways and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Providing Access Roads to Ski Areas Open to General Public.

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

R. S., c. 23, § 57-A, additional. Chapter 23 of the Revised Statutes is amended by adding a new section 57-A, to read as follows :

‘Access Roads to Ski Areas.

Sec. 57-A. Access roads to ski areas open to general public. Whenever the municipal officers of one or more municipalities, or the county commissioners if they are acting in the capacity of municipal officers, and the owner or owners of a ski area open to the general public jointly deem it necessary that a road be constructed in the municipality or unorganized township represented by the municipal officers or county commissioners, they may jointly petition the State Highway Commission for the construction of such a road. Following a review of the petition, if the State Highway Commission deems it advisable to do so, it shall arrange for a public hearing to be held for the purpose of allowing the petitioners and others interested in the proposed road to be heard. Following the hearing, if the State Highway Commission decides construction of such a road is warranted, it may arrange for such construction under the following conditions :

I. Consent of owner. Such a road shall be constructed only with the consent of the owner or owners of the land over which the section of road shall be constructed, which owner shall donate the land required in accordance with the requirements of the State Highway Commission. Following donation of the land to the municipality or municipalities or county or counties, the said mu-

municipalities or county or counties which are involved shall lay out the way as a town or county way.

II. **Cost.** The cost of construction shall be paid 50% from the General Highway Fund, 25% from the municipality and county if the road is located in whole or in part in unorganized township or townships, and 25% from the owner or owners of the ski area involved. Construction shall not be authorized by the State Highway Commission until the owner of the ski area involved gives a bond to the State, approved by the State Highway Commission, to guarantee the payment of the ski owner's proportionate share and the municipality or county involved advises the State Highway Commission that its share of funds is available for construction of the access road.

III. **Supervision.** The State Highway Commission shall have the responsibility for the supervision and construction of the road.

IV. **Limitation.** No more than 2 miles of access road shall be constructed under this section to serve any one ski area.

V. **Prerequisite.** Before the State Highway Commission shall authorize the construction of the road the commission shall determine that there has been expended in developing the facilities of the ski area a minimum of \$100,000 or that there are funds in the amount of at least \$100,000 available to be expended in developing the facilities of the ski area within a time to be established by the State Highway Commission.

VI. **Maintenance.** Upon completion of the sections of access road constructed under this section the municipality or municipalities and county or counties in which the section of highway is located shall assume the responsibility for properly maintaining the road as a public highway.

The municipalities and counties that are involved are hereby authorized to appropriate or to raise by taxation or otherwise in such municipalities and counties a sum sufficient to pay to the State their proportionate share of the cost of such access road constructed under this section.'

Statement of Facts

The sum of \$25,000 for the fiscal year ending June 30, 1964 and \$25,000 for the fiscal year ending June 30, 1965 has been allocated in the General Highway Fund Allocation Act pending before this Legislature to carry out the purposes of this act.