

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT"B" to S.P. 696, L.D. 1832, Bill,  
"AN ACT to Clarify the Board of Environmental Protection's  
Responsibility to Regulate Roads under the Site Location Law."

Amend the bill by striking out everything after the enacting  
clause and inserting in its place the following:

'38 MRSA §488, as last amended by PL 1977, c. 374, §4 is  
further amended by adding at the end the following:

Developments which consist only of a municipal or private  
road or way shall be exempt from the requirements of this Article  
as follows:

1. Unorganized areas. Within those areas of the State which  
are subject to the jurisdiction of the Land Use Regulation Commission  
under Title 12, chapter 206-A, such roads and ways shall be  
exempt.

2. Organized areas. Within all areas of the State not sub-  
ject to the jurisdiction of the Land Use Regulation Commission,  
such roads and ways shall be exempt provided they are located,  
constructed and maintained in accordance with the standards and  
regulations adopted by the board in accordance with this section.  
These standards shall be consistent with road building standards  
adopted by the Land Use Regulation Commission designed to prevent  
soil erosion. These standards and any revisions shall be in effect  
until 90 days after the adjournment of the next regular session

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of the Legislature following enactment of this subsection unless approved by legislative resolve.'

Statement of Fact

This amendment clarifies and simplifies questions of review of private roads in organized and unorganized territories.

Reported by the Minority of the Committee on Energy and Natural Resources.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 11, 1980

(Filing No. S-450)