

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1868

H.P. 1423

House of Representatives, January 10, 1984

Submitted by the Department of Conservation pursuant to Joint Rule 24. Reference to the Committee on Energy and Natural Resources is suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Jacques of Waterville.

Cosponsors: Representative Moholland of Princeton, Representative Rotondi of Athens and Senator Pearson of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT to Ensure Public Safety on  
Public Reserved and Other Public Lands.

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

5 MRSA §1741, first ¶, as amended by PL 1973, c. 593, §22, is further amended to read:

Whenever the words "public improvement" or "public improvements" shall appear in chapters 141 to 155 they shall be held to mean and include the construction, major alteration or repair of buildings or public works now owned or leased or hereafter constructed, acquired or leased by the State of Maine or any department, officer, board, commission or agency thereof, or constructed, acquired or leased, in whole or in part with state funds, and including the construction, major alteration or repair of school buildings, in excess of \$25,000, by any school administrative unit and for which state school construc-

1 tion aid is to be paid, provided that sections 1743  
2 and 1745 shall not be applicable to construction, ma-  
3 jor alteration or repair of school buildings. Noth-  
4 ing in this section shall apply to the construction,  
5 improvement or repair of any and all ways, roads or  
6 bridges with appurtenances which, by law, are under  
7 the supervision of the Department of Transportation  
8 and the Bureau of Public Lands.

9 STATEMENT OF FACT

10 The purpose of this bill is to allow for the  
11 timely installation, improvement and repair of all  
12 roads and bridges under the supervision of the Bureau  
13 of Public Lands. Many of the roads constructed by  
14 this agency are used by the general public, although  
15 most are used principally for the transport of forest  
16 products. This means that they have only a gravel  
17 surface, many are designed only for seasonal use, and  
18 are subject, therefore, to greater wear and stress  
19 than the usual permanent-surface roads normally used  
20 for public ways. In order to ensure public safety  
21 and protect the State against liability, the bureau  
22 must have authority to respond with urgency in the  
23 maintenance and repair of its transportation network.

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