

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 998

S.P. 344

In Senate, February 4, 1999

**An Act to Preserve and Improve Public Access to Inland and Coastal Waters.**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.  
Cosponsored by Representative SAXL of Portland and  
Senators: MICHAUD of Penobscot, SMALL of Sagadahoc, Representative: HONEY of  
Boothbay.

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

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Sec. 1. 5 MRSA §12004-G, sub-§36 is enacted to read:

36.	Recreational Expenses	23 MRSA
Transportation Access	Only	§121
Committee		

Sec. 2. 23 MRSA c. 3, sub-c. II-A is enacted to read:

**SUBCHAPTER II-A**  
**RECREATIONAL ACCESS COMMITTEE**

**§121. Recreational Access Committee**

1. Membership. The Recreational Access Committee, as established in Title 5, section 12004-G, subsection 36 and referred to in this section as the "committee," consists of 7 voting members appointed by the Governor, each representing one of the following:

A. The Department of Transportation;

B. The Department of Marine Resources;

C. The Department of Inland Fisheries and Wildlife;

D. The Sportsman's Alliance of Maine;

E. An organization that represents coastal conservation issues; and

F. One each from 2 other interested groups that represent recreational interests within this State.

The term for members appointed pursuant to this subsection is 3 years.

2. Committee chair. The Governor shall annually appoint one member of the committee as chair.

3. Staff. The Department of Transportation shall provide staff to the committee.

4. Quorum; action. Four voting members of the committee constitute a quorum. The affirmative vote of 4 members is necessary for any action taken by the committee. A vacancy in the membership of the committee does not impair the right of a quorum to exercise all the powers and perform the duties of the committee. The committee may use video, telephonic and other

2 technologies to conduct its business, subject to Title 1, chapter  
3 13, subchapter I.

4 5. Duties. The committee shall:

6 A. Approve the criteria and specifications for what  
7 constitutes safe access from roadways and bridges for  
8 recreational purposes and fishing, giving consideration to  
9 the proximity of fishing or other recreational resources,  
10 practical physical concerns and public safety;

12 B. Review all bridges and sections of roadways under the  
13 responsibility of the State, not including controlled access  
14 highways, under the criteria established pursuant to  
15 paragraph A for the purpose of identifying roadways and  
16 bridges suitable for recreational access measures;

18 C. Work with staff and other experts and interested parties  
19 in developing specific designs and changes for existing  
20 state roadways and bridges, as well as state roadways and  
21 bridges proposed or under construction, that would  
22 practically meet the criteria developed in paragraph A; and

24 D. Direct appropriate measures to the Commissioner of  
25 Transportation that provide for safe and practical access  
26 for recreationalists on state bridges and roadways, both  
27 existing and proposed, that are proximate to recreational  
28 water resources.

30 6. Meetings. The committee shall meet at the call of the  
31 chair but no less than quarterly.

32 7. Compensation. Committee members are entitled to  
33 reimbursement of expenses pursuant to Title 5, chapter 379.

36 **SUMMARY**

38 This bill creates the Recreational Access Committee to  
40 provide direction to the Commissioner of Transportation to make  
41 improvements to state roads and bridges to allow for safe access  
42 for recreation and fishing.