

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 832

H.P. 609

House of Representatives, February 20, 2003

### **An Act Clarifying State Financial Responsibility over State and State Aid Highways**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CROSTHWAITE of Ellsworth.  
Cosponsored by Senator GILMAN of Cumberland and  
Representatives: BERRY of Belmont, BERUBE of Lisbon, BLANCHETTE of Bangor,  
COLLINS of Wells, KAELIN of Winterport, LEDWIN of Holden, MURPHY of Kennebunk,  
STONE of Berwick.

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

4 **Sec. 1. 23 MRSA §651, first ¶,** as amended by PL 1971, c. 593,  
§22, is further amended to read:

6 The department may alter, widen or change the grade of any  
8 state or state aid highway whenever in its judgment the public  
10 exigency may require, and may lay out, establish and open a new  
12 highway as a state highway, and upon appropriate petition from  
14 municipal officers may lay out, establish and open a new highway  
16 as a state aid highway. It may discontinue a highway, or a  
18 portion thereof, as a state or state aid highway and the same  
shall must be thereafter maintained by the town or county  
originally liable therefor except as otherwise provided. All  
costs of the construction, maintenance and repair of state or  
state aid highways are the responsibility of the department and  
may not be passed on to a local unit of government except with  
the agreement of the legislative body of that local unit.

20 **SUMMARY**

22 This bill clarifies that all costs of the construction,  
24 maintenance and repair of state or state aid highways are the  
26 responsibility of the Department of Transportation and may not be  
passed on to a local unit of government except with the agreement  
of the legislative body of that local unit.