

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 625

H.P. 474

House of Representatives, February 8, 2007

**Resolve, To Establish a Commission To Study the Feasibility of the  
State's Acquiring the Golden Road**

(EMERGENCY)

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PINEAU of Jay.  
Cosponsored by Representatives: BURNS of Berwick, CARTER of Bethel, HILL of York,  
LUNDEEN of Mars Hill, MARLEY of Portland, MILLS of Farmington, WHEELER of  
Kittery.

1       **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** the Commission to Study the Feasibility of the State's Acquiring the  
4 Golden Road is established in this resolve to conduct a study and recommend reporting of  
5 legislation to the next Legislature; and

6       **Whereas,** the study must be initiated before the 90-day period expires in order that  
7 the study may be completed and a report submitted in time for submission to the Second  
8 Regular Session of the 123rd Legislature; and

9       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
10 the meaning of the Constitution of Maine and require the following legislation as  
11 immediately necessary for the preservation of the public peace, health and safety; now,  
12 therefore, be it

13       **Sec. 1. Commission established. Resolved:** That the Commission To Study  
14 the Feasibility of the State's Acquiring the Golden Road, referred to in this resolve as "the  
15 commission," is established; and be it further

16       **Sec. 2. Commission membership. Resolved:** That the commission consists of  
17 8 members appointed as follows:

18           1. Two members of the Senate, appointed by the President of the Senate, each of  
19 whom serves on the Joint Standing Committee on Transportation;

20           2. Four members of the House of Representatives, appointed by the Speaker of the  
21 House, each of whom serves on the Joint Standing Committee on Transportation;

22           3. The Commissioner of Conservation or the commissioner's designee; and

23           4. One member who is a representative of the Department of Transportation,  
24 appointed by the Commissioner of Transportation; and be it further

25       **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
26 chair of the commission and the first-named House of Representatives member is the  
27 House chair of the commission; and be it further

28       **Sec. 4. Appointments; convening of commission. Resolved:** That all  
29 appointments must be made no later than 30 days following the effective date of this  
30 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
31 Council once all appointments have been completed. Within 15 days after appointment  
32 of all members, the chairs shall call and convene the first meeting of the commission,  
33 which must be no later than April 1, 2007; and be it further

34       **Sec. 5. Duties. Resolved:** That the commission shall gather information and  
35 request necessary data from public and private entities in order to examine the feasibility  
36 and possibility of acquiring for the State the private road known as "the Golden Road," a  
37 road on private land, which goes from Millinocket to the Canadian border from the

1 private landowners. In conducting its study, the commission shall specifically work with  
2 the landowners; and be it further

3 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the Legislative  
4 Council, the Office of Policy and Legal Analysis shall provide necessary staffing services  
5 to the commission; and be it further

6 **Sec. 7. Compensation. Resolved:** That the legislative members of the  
7 commission are entitled to receive the legislative per diem, as defined in the Maine  
8 Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary  
9 expenses related to their attendance at authorized meetings of the commission. Public  
10 members not otherwise compensated by their employers or other entities that they  
11 represent are entitled to receive reimbursement of necessary expenses and, upon a  
12 demonstration of financial hardship, a per diem equal to the legislative per diem for their  
13 attendance at authorized meetings of the commission; and be it further

14 **Sec. 8. Report. Resolved:** That, no later than January 15, 2008, the commission  
15 shall submit a report that includes its findings and recommendations, including suggested  
16 legislation, for presentation to the Second Regular Session of the 123rd Legislature. The  
17 commission is authorized to introduce legislation related to its report to the Second  
18 Regular Session of the 123rd Legislature at the time of submission of its report; and be it  
19 further

20 **Sec. 9. Extension. Resolved:** That, if the commission requires a limited  
21 extension of time to complete its study and make its report, it may apply to the  
22 Legislative Council, which may grant an extension; and be it further

23 **Sec. 10. Commission budget. Resolved:** That the chairs of the commission,  
24 with assistance from the commission's staff, shall administer the commission's budget.  
25 Within 10 days after its first meeting, the commission shall present a work plan and  
26 proposed budget to the Legislative Council for its approval. The commission may not  
27 incur expenses that would result in the commission's exceeding its approved budget.  
28 Upon request from the commission, the Executive Director of the Legislative Council  
29 shall promptly provide the commission chairs and staff with a status report on the  
30 commission budget, expenditures incurred and paid and available funds.

31 **Emergency clause.** In view of the emergency cited in the preamble, this  
32 legislation takes effect when approved.

33 **SUMMARY**

34 This resolve establishes the Commission To Study the Feasibility of the State's  
35 Acquiring the Golden Road.