

MAINE STATE LEGISLATURE

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OMG
R. of S.

Date: 2-14-12

MAJORITY

(Filing No. S- 377)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE

SENATE

125TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 522, L.D. 1596, Bill, "An Act To Amend the Laws Governing Discontinued Town Ways"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Review Laws and Policies Related to Discontinued and Abandoned Roads'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Department of Conservation stakeholder group on discontinued and abandoned roads. Resolved: That the Department of Conservation shall convene a stakeholder group of no more than 10 members to review laws and policies related to discontinued and abandoned roads. The stakeholder group shall examine issues relating to continued road access through public easements, damage to a road caused by use by abutting property owners, damage to a road caused by members of the public, maintenance of a private road that has a public easement, methods to address problems of road damage and ways to maintain access for intermittent users who need access to a road. The stakeholder group must include representatives from the Department of Transportation, up to 2 residents who own property on a discontinued or abandoned road with a public easement and members from statewide organizations representing municipalities, small woodlot owners, producers of forest products, snowmobilers and other interested parties. The Department of Conservation shall fund the work of the stakeholder group from within existing resources. The Department of Conservation shall report the stakeholder group's findings and any recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013. The joint standing committee of the Legislature having jurisdiction over state and local government matters is authorized to report out legislation to the First Regular Session of the 126th Legislature.'

COMMITTEE AMENDMENT

A. of S.

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SUMMARY

This amendment, which is the majority report of the committee, replaces the bill with a resolve establishing a stakeholder group of no more than 10 members to review laws and policies related to discontinued and abandoned roads. The stakeholder group is directed to examine issues relating to continued access through public easements, damage caused by abutting land owners and members of the public, maintenance of private roads that have public easements, methods to address problems of road damage and ways to maintain access for intermittent users who need access to a road. The stakeholder group must include representatives of the Department of Transportation, up to 2 residents that live on a discontinued or abandoned road with a public easement and members from statewide organizations representing municipalities, small woodlot owners, producers of forest products, snowmobilers and other interested parties. The Department of Conservation is required to report the stakeholder group's findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013, and the committee is authorized to report out legislation to the First Regular Session of the 126th Legislature.

FISCAL NOTE REQUIRED

(See attached)



125th MAINE LEGISLATURE

LD 1596

LR 2515(02)

An Act To Amend the Laws Governing Discontinued Town Ways

Fiscal Note for Bill as Amended by Committee Amendment "A" S-377

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor cost increase - Highway Fund

Fiscal Detail and Notes

Additional costs to the Department of Conservation associated with convening the stakeholder group and reporting findings and recommendations can be absorbed within existing budgeted resources and with existing staff. Additional costs to the Department of Transportation associated with serving on the stakeholder group can also be absorbed within existing budgeted resources and with existing staff.