

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

5/11/13

Date: 4/11/13

(Filing No. H- 63)

Minority
TRANSPORTATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 70, L.D. 67, Bill, "An Act To Strengthen Collaboration in the Transfer of Responsibilities for State and State Aid Highways"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 23 MRSA §754, sub-§3, as amended by PL 2007, c. 417, §1, is further amended to read:

3. Transfer of state or state aid highway. When the responsibility for maintenance of a section of state or state aid highway is to be transferred to a municipality as a result of population growth, as determined using the decennial United States census, or the municipality meets the definition of a compact or built-up section under section 2, and when the municipality is not eligible to opt out of summer maintenance pursuant to subsection 2, paragraph C, the department shall prepare a capital and maintenance plan to ensure that the section of state or state aid highway is in good repair condition at the time of transfer. ~~The plan must be developed in consultation with the affected municipality. For the purpose of this subsection, "good repair" means actions intended to reasonably avoid nonroutine maintenance activities for a minimum of 10 years and includes consideration of ditching, culverts, major structural defects and pavement condition ratings of 3.3 or higher as determined by the department.~~

Amend the bill by striking out all of section 4.

SUMMARY

This amendment, which is the minority report, strikes from the bill provisions regarding collaboration between the Department of Transportation and an affected municipality, including a provision for dispute resolution, regarding maintenance of certain state or state aid highways transferred to a municipality. The amendment keeps provisions of the bill that provide a more detailed definition of "good condition" for the purpose of determining whether a municipality, rather than the State, is responsible for

COMMITTEE AMENDMENT

R 4 8

COMMITTEE AMENDMENT "A" to H.P. 70, L.D. 67

1
2
3
4

year-round maintenance of state and state aid highways located within an urban compact area.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



126th MAINE LEGISLATURE

LD 67

LR 344(02)

An Act To Strengthen Collaboration in the Transfer of Responsibilities for State and State Aid Highways

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-63)
Committee: Transportation
Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - Highway Fund

Fiscal Detail and Notes

This legislation changes the standard at which a state or state aid highway must exist at the time of transfer from the state to a municipality from good repair to good condition. This change could result in increased Highway Fund costs to bring such roads into good condition. The amount of any cost will depend on the number and condition of roads transferred in the future and cannot be determined at this time.