

An Act To Establish the Maine Abandoned and Discontinued Roads Commission

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

Sec. 1. 5 MRSA §12004-I, sub-§74-M is enacted to read:

74-M.

Roads Maine Abandoned and Expenses Only 23 MRSA §3026
Discontinued Roads Commission

Sec. 2. 23 MRSA §3026 is enacted to read:

§3026. Maine Abandoned and Discontinued Roads Commission

The Maine Abandoned and Discontinued Roads Commission, referred to in this section as "the commission," is established by Title 5, section 12004-I, subsection 74-M

1. Members; term. The commission consists of the following members:

A. One member who is an employee of the Bureau of Parks and Lands within the Department of Department of Agriculture, Conservation and Forestry, designated by the Commissioner;

F. One member who is an employee of the Maine Department of Transportation, designated by the Commissioner;

G. One member who is an employee of the Office of the Attorney General, designated by the Attorney General; and

A. Four members appointed by the ;

(1) One member of a statewide association representing municipalities. The _____ shall consider any recommendation made by the association.

(2) One member of a statewide association representing county governments. The _____ shall consider any recommendation made by the association.

(3) One member of a statewide association representing Maine’s woodland owners. The _____ shall consider any recommendation made by the association.

(4) . One member of a statewide association of attorneys who has expertise in real estate law , The _____ shall consider any recommendation made by the association.

(5) One resident of this State who owns real property abutting a discontinued or abandoned road upon which a public easement exists.

2. Duties. The commission shall:

A. Identify issues, related to abandoned and discontinued roads upon which a public easement exists, that negatively affect property owners, recreational users, members of the public or municipal, county or state governments; and

B. Identify and recommend statutory changes intended to reduce or resolve the negative effects identified in paragraph A.

Commented [CL1]: Options - ACF Commissioner / Governor / split between President and Speaker

3. Chair. The members of the commission shall elect from among themselves a chair. The chair serves a three-year term. The chair continues to hold the office until a successor is elected. The chair calls and presides over meetings of the commission. In the absence of the chair, the member representing Bureau of Parks and Lands within the Department of Department of Agriculture, Conservation and Forestry may preside over meetings.

4. Term of office. Members of the commission serve a 3-year term except that a member may serve after the expiration of their term until a successor has been appointed.

5. Meetings. The commission shall meet at least twice but no more than 4 times each year, except that the commission may approve subcommittees to meet to conduct the work of the commission. Subcommittees may invite persons who are not members of the commission to participate in a nonvoting capacity.

6. Support Staff. The Bureau of Parks and Lands within the Department of Department of Agriculture, Conservation and Forestry shall provide staff to support the commission.

7. Bylaws. The commission may, by a majority vote of the members, adopt or amend bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes or exercise the powers of the commission.

8. Report. By December 15 of every even-numbered year, the commission shall submit a report of its activities and any recommendations for changes to laws to the Joint Standing Committee of the Legislature having jurisdiction over state and local government matters and the Joint Standing Committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. If the commission recommends changes to law, the committee with jurisdiction over that law may report out a bill related to the recommended changes to the Regular Session of the Legislature meeting in the odd-numbered year.

Sec. 3. Initial meeting. The member representing the Bureau of Parks and Lands within the Department of Department of Agriculture, Conservation and Forestry shall call the first meeting of the commission within 60 days of the effective date of this Act.

SUMMARY

This bill establishes the Maine Abandoned and Discontinued Roads Commission staffed by the Bureau of Parks and Lands within the Department of Department of Agriculture, Conservation and Forestry. The commission is charged with: identifying the negative effects experienced by property owners, county and municipal governments, state departments and agencies, entities representing recreational uses, and members of the public as a result of abandoned and discontinued roads upon which a public easement exists; and recommending statutory changes to reduce or resolve the negative effects. The commission must report to the Joint Standing Committees of the Legislature having jurisdiction over state and local government matters and agriculture, conservation and forestry. Each committee has the authority to report out a bill in response to the report.