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Date: (Filing No. H- )

**TRANSPORTATION**

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

COMMITTEE AMENDMENT “ ” 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**

COMMITTEE AMENDMENT “ ” to H.P. 70, L.D. 67

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

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**FISCAL NOTE REQUIRED**

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**(See attached)**