



# 126th MAINE LEGISLATURE

LD 1177

LR 1124(10)

## An Act To Implement the Recommendations from the Discontinued and Abandoned Roads Stakeholder Group

**Fiscal Note for Senate Amendment " " to Committee Amendment "A"**

**Sponsor: Sen. Thomas of Somerset**

**Fiscal Note Required: Yes**

---

---

### Fiscal Note

#### Changes to Municipal Requirements

#### **Fiscal Detail and Notes**

The amendment eliminates the requirement that municipalities vote to reconsider a discontinuance 21 years after a certificate of discontinuance is filed and may only terminate a non-abandoned interest held for highway purposes through discontinuance. The requirement that municipalities must prepare and file with the registry of deeds and the Department of Transportation (DOT), by January 1, 2016, a list of all town ways maintained with public funds, discontinued since 1965 and abandoned since 1965 has now been made optional in this amendment. The amendment retains the committee amendment requirement that a record of abandonment be filed with the registry of deeds and DOT when municipal officers determine that a town way is presumed abandoned, but this amendment also requires this filing to occur if a court determines that a town way is presumed abandoned.

The net effect of these changes on municipalities is less costs associated with listing certain town ways and filing certain certificates of discontinuance as compared to the committee amendment.