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STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 731, L.D. 1042, Bill, “An Act To Amend the Law Regarding Road Associations”

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

Sec. 1. 23 MRSA §3102, as amended by PL 2013, c. 198, §8, is further amended to read:

§3102. Commissioner's or board's duties; neglect of owners to pay

The commissioner or board chosen under section 3101, with respect to the private road, private way or bridge, has the powers of a road commissioner. If any owner, on requirement of the commissioner or board, neglects to furnish that owner's proportion of labor, materials or money, the same may be furnished by the other owners and recovered of the owner neglecting to pay in a civil action, together with costs of suit and reasonable attorney's fees. Such civil action may be brought in the name of and by the road association created pursuant to this subchapter and the decision to bring that civil action may be made by the commissioner or board or as otherwise provided for in the road association's bylaws. ~~The commissioner's or board's apportioning of the cost of repairs to the road undertaken pursuant to the provisions of section 3101 may not exceed 1% of an individual owner's municipal property valuation in any calendar year.~~

SUMMARY

This amendment replaces the bill. The amendment removes language in current law that limits an individual owner's share of the cost of repairs to a road that are assessed by a road association to 1% of that owner's municipal property valuation in any calendar year. The bill increases the limit from 1% to 2%.

COMMITTEE AMENDMENT