

Senator Baldacci, Representative Matlack, Members of the Committee on State and Local Government:

I've been troubling over two details of the wording of the draft bill 1513, and late as it is, I find I MUST speak up about it, as I speak on behalf of residents on abandoned and discontinued roads from Kittery and York to Madawaska and Frenchville, and from Lubec, Machiasport, and Bucksport to Stow and Bethel.

I thought the Subcommittee had indicated that the Stakeholders should be represented on the Commission; specifically, MMA, Maine Woodlands, and Maine ROADWays. I do understand that since this is to be a permanent commission, you cannot name specific organizations which might not exist permanently; however, the draft clearly indicates one member of a statewide organization that represents municipalities, and one member of a statewide organization that represents woodland owners. The obvious choices there currently would be someone from MMA and someone from Maine Woodlands. But when it comes to Maine ROADWays, all the draft says is, "(5) One resident of the State who owns real property abutting an abandoned and discontinued road appointed by the President of the Senate."

As worded, that would allow the President of the Senate to choose some random Maine resident WHO OWNS (but does not necessarily live on) real property on a discontinued road. That could be the owner of a wood lot, who doesn't care what the condition of the road is so long as he can get through with a skidder. There is no mention of a RESIDENT ON an abandoned or discontinued road, which, may I remind you, is the group of people for whom LD 1513 was originally presented. Moreover, the current wording makes no provision for expressing the needs of residents on these roads statewide.

Perhaps there was a concern that if Maine ROADWays ceased to exist, there would be NO organization to fill this space. I understand that concern. A Google search for "abandoned roads Maine" or "discontinued roads Maine" reveals that there isn't much out there for people on these roads besides the statutes themselves, and Maine ROADWays. (As we've seen, the statutes fall short - thus the need for this Commission.)

Here is my suggestion. Could paragraph 5 please be changed to the following?

(5) One member of a statewide association representing residents and landowners on abandoned and discontinued roads, appointed by the Speaker of the House who shall consider any recommendation made by the association; or, if no such association exists, one resident on an abandoned or discontinued road, appointed by the Speaker of the House.

Since the original intent here was to address the problems faced by **residents** on these roads **statewide**, I do believe some terminology is necessary to identify, if possible, a member of the Commission who represents **more than the views of a single person**, and who **actually lives on**, as well as owning property on, an abandoned or discontinued road.

Also, under paragraph 2, Duties, Paragraph A, the current draft once again omits the **residents** whose needs were intended to be addressed by this bill. It also fails to include those whose access depends on such a road but whose property does not actually abut the road. (This

Committee's rewrite last year of the Abandoned Roads statute, 23 MRS 3028-A, did recognize the need to address this situation.) I strongly urge you to change the wording in line 3 of that paragraph to study the impact "on residents on, and owners of, property which depends on the road for access, recreational users of the road..."

Thank you.

Roberta Manter, Maine ROADWays (Residents & Owners on Abandoned & Discontinued Ways)