

**§75. Rail corridor use advisory councils**

**1. Purpose.** Upon petition by one or more governmental entities that represent communities along a state-owned rail corridor in which the department controls the right-of-way requesting the department to review a nonrail recreational or nonrecreational transportation use of that rail corridor, the Commissioner of Transportation, for each petition received, shall notify the joint standing committee of the Legislature having jurisdiction over transportation matters and may establish a rail corridor use advisory council, referred to in this section as "a council," to facilitate discussion, gather information and provide advice to the commissioner regarding future use of the rail corridor identified in the petition. The council shall review and make recommendations on the likelihood, benefits and costs of potential uses of the rail corridor, including, but not limited to, rail use, trail use or bikeways. Any nonrail use of a rail corridor must be considered by a council to be interim in nature, and all such rail corridors must be preserved for future rail use as provided in chapter 615.

[PL 2021, c. 239, §2 (NEW).]

**2. Membership.** The Commissioner of Transportation shall invite at least 9 and no more than 15 persons to serve on a council. Membership may include:

A. The Commissioner of Transportation or the commissioner's designee; [PL 2021, c. 239, §2 (NEW).]

B. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; [PL 2021, c. 239, §2 (NEW).]

C. The Commissioner of Economic and Community Development or the commissioner's designee; [PL 2021, c. 239, §2 (NEW).]

D. The Commissioner of Health and Human Services or the commissioner's designee; [PL 2021, c. 239, §2 (NEW).]

E. One or more members representing other state agencies; [PL 2021, c. 239, §2 (NEW).]

F. One member representing a statewide tourism organization or a regional tourism organization of the geographic area containing the rail corridor; [PL 2021, c. 239, §2 (NEW).]

G. One member representing a chamber of commerce or other regional or local economic development entity of the geographic area containing the rail corridor; [PL 2021, c. 239, §2 (NEW).]

H. One member representing an organization advocating for rail use or preservation; [PL 2021, c. 239, §2 (NEW).]

I. One member representing an organization advocating for recreational trail use or advocating for bicyclist or pedestrian interests; and [PL 2021, c. 239, §2 (NEW).]

J. One or more municipal officials or staff from municipalities located on the rail corridor. [PL 2021, c. 239, §2 (NEW).]

[PL 2021, c. 239, §2 (NEW).]

**3. Meetings; chair.** The Commissioner of Transportation shall designate the chair of a council. The department shall provide staff support to the council. The council may adopt bylaws and other policies to effectively govern its proceedings. The council shall meet at the call of the chair and shall hold a minimum of one public hearing located in the geographic area along the rail corridor for which the council was formed.

[PL 2021, c. 239, §2 (NEW).]

**4. Report.** Within 9 months of convening its first meeting, a council shall submit a report to the Commissioner of Transportation on its findings and recommendations regarding the use of the rail

corridor, including majority and minority reports if necessary. Upon conclusion of the council's work, the Commissioner of Transportation shall disband that council.

[PL 2021, c. 239, §2 (NEW).]

#### SECTION HISTORY

PL 2021, c. 239, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--