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Date: (Filing No. S- )

**TRANSPORTATION**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**130TH LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 258, L.D. 672, “Resolve, To Study the Feasibility of Building a Trail on the Mountain Division Rail Line”

Amend the resolve by striking out the title and substituting the following:

**'Resolve, To Direct the Department of Transportation To Use a Rail Corridor Use Advisory Council in Reviewing the Mountain Division Line for Potential Nonrail Uses'**

Amend the resolve by striking out everything after the title and inserting the following:

**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Maine's rail corridors that are not currently in use have been the subject of much discussion and review by the Legislature and communities that live along the corridors; and

**Whereas,** there is a strong and urgent interest in evaluating the potential economic benefits and costs of alternative uses of the Mountain Division Line rail corridor, including, but not limited to, rail use, trail use or bikeways; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Rail corridor use advisory council. Resolved:** That, upon petition by one or more governmental entities that represent communities along the approximately 28 miles of state-owned railroad track on the Mountain Division Line connecting the Town of Standish and the Town of Fryeburg, the Commissioner of Transportation shall establish a rail corridor use advisory council, referred to in this resolve as "the council," to facilitate discussion, gather information and provide advice to the commissioner regarding future use of that approximately 28-mile portion of the rail corridor. The council shall review and make recommendations on the likelihood, economic benefits and costs of potential uses of

**COMMITTEE AMENDMENT**

1 the rail corridor, including, but not limited to, rail use, trail use or bikeways. Any nonrail  
2 use of a rail corridor must be considered by a council to be interim in nature, and all such  
3 rail corridors must be preserved for future rail use as provided in the Maine Revised  
4 Statutes, Title 23, chapter 615.

5 **Sec. 2. Meetings; chair. Resolved:** That the Commissioner of Transportation shall  
6 designate the chair of the council. The Department of Transportation shall provide staff  
7 support to the council. The council may adopt bylaws and other policies to effectively  
8 govern its proceedings. The council shall meet at the call of the chair and shall hold a  
9 minimum of one public hearing located in the geographic area along the Mountain Division  
10 Line.

11 **Sec. 3. Report. Resolved:** That, within 9 months of convening its first meeting, the  
12 council shall submit a report to the Commissioner of Transportation on its findings and  
13 recommendations regarding the use of the Mountain Division Line, including majority and  
14 minority reports if necessary.

15 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
16 takes effect when approved.'

17 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or  
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment replaces the resolve. It directs the Department of Transportation to  
21 review the Mountain Division Line rail corridor for potential nonrail uses through a rail  
22 corridor use advisory council. The amendment also adds an emergency preamble and  
23 emergency clause.