

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 185 - L.D. 404

Resolve, to Direct the Department of Transportation to Implement the Recommendations of the Mountain Division Rail Use Advisory Council

Preamble. **Whereas,** the State Railroad Preservation and Assistance Act requires the Department of Transportation to seek legislative approval for any conversion of a state-owned rail corridor in which the department controls the right-of-way to a nonrail recreational or nonrecreational transportation use; and

Whereas, Resolve 2021, chapter 52 directed the department to establish a rail corridor use advisory council to review the Mountain Division Line for potential nonrail use; and

Whereas, the Mountain Division Rail Use Advisory Council convened and met for 7 months during 2021 and 2022; and

Whereas, the 12-member Mountain Division Rail Use Advisory Council voted 11-1 to recommend the interim conversion of 31 miles of existing railroad track to a 10-foot-wide paved bicycle and pedestrian trail; and

Whereas, the State Railroad Preservation and Assistance Act further requires that once the Commissioner of Transportation receives a report from a rail corridor use advisory council that includes a recommendation of track removal or other change for interim nonrail use and the commissioner concurs with the recommendation, the commissioner shall seek legislative approval of the recommendation by submitting legislation to the joint standing committee of the Legislature having jurisdiction over transportation matters prior to track removal or other change for nonrail use; and

Whereas, any track removal or other change for nonrail use is considered interim in nature and rail corridors are to be preserved for future rail use as provided under the State Railroad Preservation and Assistance Act; now, therefore, be it

Sec. 1. Trail construction on Mountain Division Line. Resolved: That, based on the recommendation of the Mountain Division Rail Use Advisory Council and pursuant to the Maine Revised Statutes, Title 23, section 7107, the Department of Transportation shall, subject to available funding resources, permitting and municipal agreements, remove 31 miles of state-owned inactive existing railroad track between the Town of Standish and

the Town of Fryeburg and replace the track with an interim 10-foot-wide bicycle and pedestrian trail, surfaced with either pavement or stone dust on the existing rail bed.