



126th MAINE LEGISLATURE

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Legislative Document

No. 920

H.P. 644

House of Representatives, March 7, 2013

An Act To Prohibit Herbicide Spraying on Abandoned Railroad Lines

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative McLEAN of Gorham. Cosponsored by Senator BOYLE of Cumberland and Representatives: HICKMAN of Winthrop, LIBBY of Lewiston, PRINGLE of Windham.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 23 MRSA §7105, sub-§6 is enacted to read:

3 6. Application of herbicides to abandoned or discontinued railroad lines. Notwithstanding any provision of this subchapter to the contrary, a state agency may not 4 5 apply herbicides to a railroad line owned by the State that has been officially abandoned or discontinued under the authority of the United States Department of Transportation, 6 Surface Transportation Board or the former federal Interstate Commerce Commission. If 7 the State has contracted with an operator to provide service over an abandoned or 8 9 discontinued railroad line, including, but not limited to, a contract related to operating a scenic train ride or related to operating under a modified certificate of public convenience 10 and necessity pursuant to 49 Code of Federal Regulations, Part 1150, Subpart C, the 11 provisions of this subsection do not apply. 12

- 13 SUMMARY
- 14 This bill prohibits a state agency from applying herbicides to state-owned railroad 15 lines that are abandoned or discontinued unless the State has contracted with an operator 16 to provide service over the line.