

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1029, L.D. 1502, Bill, "An Act to Provide for the Acquisition of Property for the Establishment, Preservation or Enhancement of Open Space and Recreation Corridors in the State"

Amend the bill in section 2 in subsection 21 in the 2nd paragraph in the 7th line (page 1, line 39 in L.D.) by striking out the following: "department" and inserting in its place the following: 'bureau'

Further amend the bill in section 2 in subsection 21 by inserting after the 2nd paragraph a new paragraph to read:

'No railroad rights-of-way or other interest within the jurisdiction of the United States Interstate Commerce Commission may be acquired by eminent domain.'

Further amend the bill in section 2 in subsection 21 in the 4th paragraph in the 6th line (page 2, line 15 in L.D.) by striking out the following: "makes such a claim must" and inserting in its place the following: 'makes a claim to the property must'

Further amend the bill in section 2 in subsection 21 in the 4th paragraph in the 10th and 11th lines (page 2, lines 19 and 20 in L.D.) by striking out the following: "acquisition, as long as the burden" and inserting in its place the following: 'acquisition. The burden'

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

This bill provides a means of clarifying complex title questions associated with acquisition of railroad rights-of-way

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2 and allows the State to acquire clear title to railroad  
rights-of-way for recreational purposes by eminent domain. The  
4 additional work load and administrative costs associated with a  
minimal number of additional cases filed in Superior Court will  
6 be absorbed within the budgeted resources of the Judicial  
Department.'

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### STATEMENT OF FACT

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This amendment corrects technical errors, adds a fiscal note  
and clarifies that active rail lines may not be acquired by the  
14 Bureau of Parks and Recreation.

Reported by the Committee on Energy and Natural Resources  
Reproduced and distributed under the direction of the Clerk of the  
House

(5/22/91)

(Filing No. H-417)