

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 215

S.P. 66

In Senate, February 1, 2011

### An Act To Authorize the Leasing of Rail Crossings

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Senator: TRAHAN of Lincoln.

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

2 **Sec. 1. 12 MRSA §1814**, as amended by PL 1999, c. 240, §1, is further amended  
3 to read:

4 **§1814. Convey land**

5 Consistent with section 598-A, the bureau may sell and convey lands under this  
6 subchapter and improvements on those lands. With the consent of the Governor and the  
7 commissioner and subject to the provisions of section 598-A, the bureau may convey  
8 interests in lands or lease ~~the same those lands.~~ With the consent of the commissioner,  
9 the bureau may lease, for a term not exceeding 5 years, railroad right-of-way crossings  
10 under this subchapter for railroads upon which rail service is no longer operated. Any  
11 lease to the Federal Government requires the approval of the Legislature. Any lease  
12 entered into must be canceled or revoked after due notice of intention to cancel or revoke  
13 the lease by action of the bureau when the use for which that lease was given has been  
14 abandoned or materially modified or whenever the conditions imposed in any lease have  
15 been broken.

16 **SUMMARY**

17 Current law provides that the Department of Conservation, Bureau of Parks and  
18 Lands may convey interests in or lease state park lands and historic sites with the  
19 approval of both the Commissioner of Conservation and the Governor. This bill  
20 authorizes the bureau, with the consent of the commissioner, to lease for a term not  
21 exceeding 5 years railroad right-of-way crossings on state park lands and historic sites for  
22 railroads upon which rail service is no longer operated.