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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 129, L.D. 154, Bill, “An Act To Amend the Laws Governing Limited Liability for Recreational or Harvesting Activities”

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

'Resolve, Directing the Department of Transportation To Convene a Task Force To Study Issues Concerning Private Railroad Crossings'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Task force; study. Resolved: That the Department of Transportation shall convene a task force to study issues concerning private railroad crossings throughout the State. The study must include at a minimum questions about private railroad crossings concerning liability, maintenance fees, license fees and public safety. The department shall invite the participation of no more than 2 representatives of each of the following: owners of property accessible only by private railroad crossings; railroad companies operating in this State; owners of railroad tracks subject to private railroad crossings, including the State; the Small Woodlot Owners Association of Maine; the Maine Forest Products Council; the Office of the Attorney General; and the Maine Trial Lawyers Association to represent the interests of members of the public who could be affected by limitations of liability. The task force shall review activities in other states to address the same issues. The department shall keep the members of the Joint Standing Committee on Judiciary informed about scheduled meetings of the task force; and be it further

Sec. 2. Report; legislation. Resolved: That the task force shall report on the results of its study under section 1 to the Department of Transportation. The department shall report the task force's findings and recommendations to the Joint Standing Committee on Judiciary no later than February 1, 2014. The Joint Standing Committee on Judiciary may report out a bill to the Second Regular Session of the 126th Legislature upon receiving the report; and be it further

COMMITTEE AMENDMENT

1 **Sec. 3. Appropriations and allocations. Resolved:** That the following
2 appropriations and allocations are made.

3 **TRANSPORTATION, DEPARTMENT OF**

4 **Multimodal - Freight 0350**

5 Initiative: Provides one-time funding to convene a task force to study issues related to
6 private railroad crossings.

7	OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
8	All Other	\$25,000	\$0
9			
10	OTHER SPECIAL REVENUE FUNDS TOTAL	<hr style="width: 50%; margin-left: auto; margin-right: 0;"/> \$25,000	<hr style="width: 50%; margin-left: auto; margin-right: 0;"/> \$0
11			

12 **SUMMARY**

13 This amendment replaces the bill with a resolve directing the Department of
14 Transportation to convene a task force to study the issues concerning private railroad
15 crossings and report to the Joint Standing Committee on Judiciary by February 1, 2014.
16 The Joint Standing Committee on Judiciary may report out a bill to the Second Regular
17 Session of the 126th Legislature.

18 The amendment also adds an appropriations and allocations section.

19 **FISCAL NOTE REQUIRED**

20 **(See attached)**