

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY

---

---

N I N E T Y - N I N T H L E G I S L A T U R E

---

---

**Legislative Document**

**No. 616**

S. P. 233

In Senate, February 11, 1959

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Stilphen of Knox.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

---

**RESOLVE, Relating to Determination of Damages Caused by Taking of Land  
for Highway Purposes.**

---

**Procedures relating to determination of damages; study of. Resolved:** That the Legislative Research Committee be authorized to study the procedures relating to determination of damages caused by the taking of land for highway purposes and report to the 100th Legislature.

### STATEMENT OF FACTS

Whenever land is taken for highway purposes and the owner does not accept the offer made by the State, the owner or the State may request a hearing to be held by a joint board made up of the county commissioners in the county where the land is located and the members of the State Highway Commission. The joint board views the property, considers the circumstances, and makes a determination of the amount to be paid by the State for the land and damages. If the owner of the land does not wish to accept the amount determined by the joint board, an appeal can be taken to the Superior Court.

Because of the expanded highway program involving the taking of additional parcels of land, it is believed desirable to have the Legislative Research Committee study the procedure involving the joint board and the appeal to the Superior Court in an effort to expedite payments to be made by the State to the property owners. Such a study would involve consideration of procedures used in other states and would result in suggested legislation for consideration of the 190th Legislature.