

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
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THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
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§ 160. Property management

Any property taken or acquired for highway purposes may be leased, let or rented by the commission to a displaced person pending advantageous use for highway purposes. The commission may renovate and maintain property pending such advantageous use. The proceeds from leasing, letting or renting such property shall be credited to the fund from which payment was made for the acquisition. The consideration paid by the tenant for occupancy shall not exceed the fair rental value of the property based on short-term occupation.

§ 161. Incidental expense payments

1. **Reimbursement.** The commission, as soon as practicable after the date of payment of just compensation, shall reimburse the owner from whom land or rights in land were acquired for highway purposes, to the extent the commission deems fair and reasonable, for expenses such owner necessarily incurred for:

A. Recording fees, transfer taxes and similar expenses, if any, incidental to conveying such property to the State;

B. Penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property; and

C. The pro rata portion of real property taxes paid which are allowable to a period subsequent to the date of vesting title in the State, or the effective date of possession of such real property by the State, whichever is earlier.

2. **Determination.** Any determination by the commission in the administration of this section shall be final and nothing herein shall be construed to give any person a cause of action in the Land Damage Board or the Superior Court.

Sec. 6. R. S., T. 23, §§ 211 - 222, repealed. Sections 211 to 222 of Title 23 of the Revised Statutes, as enacted by section 1 of chapter 207 of the public laws of 1969, are repealed.

Sec. 7. **Application.** This Act shall be retroactive to January 2, 1971, for the purpose of providing the increased benefits to displaced persons caused by projects initiated after that date.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 20, 1971

Chapter 334

AN ACT Repealing the Prohibition Against Public Dancing on Sunday.

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

Sec. 1. R. S., T. 17, § 3202, amended. Section 3202 of Title 17 of the Revised Statutes is amended to read as follows:

§ 3202. Computation by standard time

To determine when the Lord's Day begins and ends under section 3204 as it applies to ~~public dancing~~ diversion, show or entertainment, the hours shall be United States Eastern Standard time.

Sec. 2. R. S., T. 17, § 3204, amended. The 2nd paragraph of section 3204 of Title 17 of the Revised Statutes is amended to read as follows:

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxi cabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; drug stores; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operation, including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; **public dancing**; sports and athletic events; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205, 3206 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.

Effective September 23, 1971

Chapter 335

AN ACT Reclassifying the Waters of Lake Auburn and Little Wilson Pond, Androscoggin County.

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

R. S., T. 38, § 371, sub-§§ 10 and 11, additional. Section 371 of Title 38 of the Revised Statutes, as amended, is further amended by adding 2 new subsections to read as follows:

10. Lake Auburn in the City of Auburn, Androscoggin County—Class A.
11. Little Wilson Pond and its outlet tributary to Lake Auburn in the City of Auburn and the Town of Turner, Androscoggin County—Class A.

Effective September 23, 1971