

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)

ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
AT THE
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

He shall employ, with the approval of the Secretary of State, subject to the Personnel Law, such assistants as may be necessary to carry out this chapter.

Sec. 4. Funds and equipment transferred. Notwithstanding the Revised Statutes, Title 5, section 1585, all accrued expenditures, assets, liabilities, balances of appropriations, transfers, revenues or other available funds in any account, or subdivision of an account, of any agency to be reallocated to another department strictly as a result of the reorganization effort, shall be transferred to the proper place in the new structure by the State Controller, upon recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council.

Sec. 5. Effective date. This Act shall become effective July 1, 1972.

Effective July 1, 1972

CHAPTER 597

AN ACT Relating to Relocation Assistance and Land Acquisition in State Projects.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P. L. 91-646) requires no later than July 1, 1972, that the states furnish uniform and equitable treatment to all individuals, business and farm operations displaced by all federally assisted programs and projects; and

Whereas, if this Act is not made effective before July 1, 1972 the continuation of federally assisted programs in such fields as housing, urban renewal, highway construction, health and welfare programs, flood control programs, agricultural extension programs and other similar federally assisted programs is threatened; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 1, c. 23, additional. Title 1 of the Revised Statutes is amended by adding a new chapter 23 to read as follows:

CHAPTER 23

RELOCATION ASSISTANCE

§ 901. Purpose

The purpose of this chapter is to establish a uniform policy for the treatment of persons displaced as a result of federally assisted state programs in order that such persons shall not suffer as a result of programs designed for the benefit of the public as a whole, and to enable the State to comply with certain laws enacted by the Congress of the United States.

§ 902. State acceptance of federal funds; compliance with federal law

Whenever the acquisition of real property for a program undertaken by the State will result in the displacement of any person on or after the effective date of this Act and the program is eligible for federal financial assistance, the State is authorized to receive such federal financial assistance and upon or in anticipation of receipt thereof, is authorized to comply with all of the provisions of, to be guided to the greatest extent practicable by the land acquisition policies set forth in and to do all things necessary or proper to provide the services, payments and benefits provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P. L. 91-646; 84 Stat. 1894).

§ 903. Definitions and exclusion

Except where the context otherwise requires or as expressly set forth in this chapter, all terms used in this chapter shall have the same definitions as are set forth in the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The term "State" shall include every agency, department and political subdivision of the State but shall not include the State Highway Commission. Nothing in this chapter shall be construed to alter or amend Title 23, chapter 3, subchapter VII, which does and shall continue to apply exclusively to state or state aid highway projects by the State Highway Commission.

§ 904. Limitation

Nothing in this chapter shall be construed as creating in any condemnation proceeding brought under the power of eminent domain any element of value or of damage not in existence immediately prior to the effective date of this Act.

The requirement by the State to be guided, to the greatest extent practicable, by the policies set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 shall create no rights or liabilities and shall not affect the validity of any property acquisitions by purchase or condemnation.

Nothing in this chapter shall be construed to require the State to provide services, payments or benefits which exceed in quantity or quality those which are necessary or proper for the State to provide in order for the State to receive federal financial assistance by complying with the obligations imposed or incumbent upon states under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Nothing in this chapter shall be construed to limit the authority or eligibility of the State to receive federal financial assistance.

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

Effective March 1, 1972

CHAPTER 598

AN ACT to Grant Adult Rights to Persons Eighteen Years of Age.

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

Sec. 1. R. S., T. 1, § 72, sub-§ 1, amended. Subsection 1 of section 72 of Title 1 of the Revised Statutes, as repealed and replaced by section 2 of chapter 433 of the public laws of 1969, is amended to read as follows:

1. **Adult.** "Adult" means a person who has attained the age of ~~20~~ 18 years.

Sec. 2. R. S., T. 1, § 72, sub-§§ 2-A and 2-B, amended. Subsections 2-A and 2-B of section 72 of Title 1 of the Revised Statutes, as enacted by section 3 of chapter 433 of the public laws of 1969, are amended to read as follows:

2-A. **Child or children.** "Child or children" means a person who has not attained the age of ~~20~~ 18 years.

2-B. **Full age.** "Full age" means the age of ~~20~~ 18 and over.

Sec. 3. R. S., T. 1, § 72, sub-§ 6-A, amended. Subsection 6-A of section 72 of Title 1 of the Revised Statutes, as enacted by section 4 of chapter 433 of the public laws of 1969, is amended to read as follows:

6-A. **Infant.** "Infant" means a person who has not attained the age of ~~20~~ 18 years.

Sec. 4. R. S., T. 1, § 72, sub-§§ 10-A and 10-B, amended. Subsections 10-A and 10-B of section 72 of Title 1 of the Revised Statutes, as enacted by section 5 of chapter 433 of the public laws of 1969, are amended to read as follows:

10-A. **Lawful age.** "Lawful age" means the age of ~~20~~ 18 and over.

10-B. **Legal age.** "Legal age" means the age of ~~20~~ 18 and over.

Sec. 5. R. S., T. 1, § 72, sub-§ 11, amended. Subsection 11 of section 72 of Title 1 of the Revised Statutes, as repealed and replaced by section 6 of chapter 433 of the public laws of 1969, is amended to read as follows:

11. **Majority.** "Majority" when used in reference to age shall mean the age of ~~20~~ 18 and over.