

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

Any person displaced by a taking or acquisition who remains in occupancy after the date of acquisition shall pay rent from the date of the acquisition. The consideration paid by the tenant or displaced person shall not exceed fair rental value of the property based on short-term occupancy. If the tenants or displaced person and the department cannot reach agreement as to fair rental value for the initial 90-day period after acquisition, each may apply to the State Claims Board in writing for a determination as to the fair rental value. The State Claims Board's jurisdiction to determine the fair rental value shall be limited solely to the initial 90-day period. Any consideration to be paid by the tenant or displaced person after the initial 90-day period shall be determined solely by the department.

Effective September 23, 1983.

CHAPTER 273

H.P. 993 - L.D. 1303

AN ACT to Amend the Maine Coastal Protection Fund.

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

Sec. 1. 38 MRSA §551, sub-§3, ¶E, as amended by PL 1971, c. 618, §12, is further amended to read:

E. Determinations made by a majority of the Board of Arbitration shall be final, and such determinations may be subject to review by a Justice of the Superior Court but only as to matters relating to abuse of discretion by the Board of Arbitration. A party seeking review of a Board of Arbitration determination must file an appeal in the Superior Court within 30 days of the Board of Arbitration determination.

Sec. 2. 38 MRSA §551, sub-§3, ¶G is enacted to read:

G. If the final determination of the Board of Arbitration includes a damage award, the Board of Arbitration shall certify the amount of the damage award and the name of the party to receive the award to the Treasurer of State. The Treasurer of State shall pay that amount to the party from the Maine Coastal Protection Fund no sooner

than 35 days after the date of the final determination of the Board of Arbitration. If the determination of the Board of Arbitration is appealed pursuant to paragraph E, the Treasurer of State shall withhold payment of the damage award until a final judgment on the appeal is entered, at which time the Treasurer of State shall pay any damage awards according to the terms of the final judicial judgment, with interest at the commercial rate as established by the Treasurer of State calculated from the date of the Board of Arbitration's final determination.

Effective September 23, 1983.

CHAPTER 274

H.P. 995 - L.D. 1305

AN ACT to Prohibit Smelting on Morrill Pond in Somerset County.

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

Sec. 1. 12 MRSA §7552, sub-§5, ¶E, as enacted by PL 1979, c. 420, §1, is repealed.

Sec. 2. 12 MRSA §7552, sub-§5, ¶F, as enacted by PL 1979, c. 420, §1, is amended to read:

F. The open season in Aroostook County for all fish in rivers, brooks and streams is May 1st to September 15th; and

Sec. 3. 12 MRSA §7552, sub-§5, ¶G is enacted to read:

G. There shall be a continued closed season on the dipping of smelts from Morrill Pond and its tributaries in Somerset County.

Effective September 23, 1983.

CHAPTER 275

H.P. 400 - L.D. 483

AN ACT to Increase the Damages Jurisdiction of the Maine District Court to \$30,000.