

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1693

S. P. 660

In Senate, January 17, 1966

The Committee on Judiciary suggested.

EDWIN H. PERT, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SIX

AN ACT Relating to Acquisition of Land and Materials for Highway Purposes.

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

Sec. 1. R. S., T. 23, § 153, repealed and replaced. Section 153 of Title 23 of the Revised Statutes, as amended by section 1 of chapter 295 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 153. Property for highways

The State Highway Commission, on behalf of the State of Maine, may take over and hold for the State of Maine, such property as it may deem necessary to:

1. State and state aid highways. Lay out and establish, construct, improve or maintain, or to provide a change of location or alignment of, or to provide drainage for state and state aid highways.

2. Roadside development. Provide rest areas, parking strips, roadside and landscape development for the preservation and development of natural scenic beauty.

3. Safety of public. Provide for the health, safety and welfare of the public using any state or state aid highway.

4. Materials. Secure materials, with necessary ways and access thereto, for the construction, improvement and maintenance of state and state aid highways.

5. Advertising structures. Remove roadside outdoor advertising structures, devices or displays which are not in conformity with Title 32, sections 2751 to 2764.

6. Automobile graveyards. Secure the relocation, removal or disposal of automobile graveyards and junkyards which are not in conformity with Title 30, sections 2451 to 2459.

7. Buildings. Erect administrative, storage and operational buildings used in affecting the objectives in conformity with section 1.

Where property is to be purchased or taken over and held for the State, the commission shall first cause the property or interest therein necessary to be acquired to be surveyed and described and a plan thereof made and to be appraised by one or more appraisers who in making each appraisal shall contact the owner or one of the owners or his designated representative if reasonably possible.'

Sec. 2. R. S., T. 23, § 154, amended. The first paragraph of section 154 of Title 23 of the Revised Statutes is amended to read as follows:

'If the commission determines that public exigency requires the taking of such ~~land or material property~~ or any interest therein forthwith, or is unable to purchase such ~~land or material property and interest therein~~, or the necessary ways and access thereto at what it deems a reasonable valuation, or if the title is defective, it shall file in the registry of deeds for the county or registry district where the land is located a notice of condemnation which shall contain a description of the project specifying the property and the interest therein taken and the name or names of the owner or owners of record so far as they can be reasonably determined. The commission may join in the same notice one or more separate ~~parcels of property~~ **properties** whether in the same or different ownership and whether or not taken for the same use.'