

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 2015

H. P. 1554

House of Representatives, January 23, 1972

Committee on State Government suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Bustin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-TWO

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

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 Relo-

cation Assistance and Real Property Acquisition Policies Act of 1970 (P. L. 9-646; 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.

STATEMENT OF FACT

The purpose of this legislation is to permit the State to comply with obligations imposed upon states by certain federal legislation styled "The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970," in order for the State to remain eligible for and to receive federal financial assistance, where such assistance is available, in programs or projects by state agencies involving the acquisition of real property and which will result in the displacement of any person. An appropriate exclusion is made for the State Highway Commission by reason of the Revised Statutes, Title 23, chapter 3, subchapter VII which was enacted, in part, for a similar purpose but which applies only to state and state-aid highway projects by the State Highway Commission.