

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 963

H. P. 1319 House of Representatives, February 28, 1945.

On motion of Mr. Gross of Jefferson received by unanimous consent and on further motion same gentleman referred to the Committee on Judiciary. Ordered printed and sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Gross of Jefferson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

**AN ACT Providing for the Taking of Property by the State by Right of
Eminent Domain.**

Emergency preamble. Whereas, the purchase of land by and for the state of Maine cannot be effected at a reasonable figure, and

Whereas, it is necessary that title to land now leased by the state be acquired, and

Whereas, such land cannot be acquired except by taking under the right of eminent domain, and

Whereas, a taking is necessary to protect the capital investment of the state, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI 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:

Sec. 1. R. S., c. 1, §§ 24-A, 24-B, 24-C, additional. Chapter 1 of the

revised statutes is hereby amended by adding thereto 3 new sections to be numbered 24-A, 24-B and 24-C, to read as follows:

'Sec. 24-A. Real property may be taken by the state by right of eminent domain. The taking of real estate or of any interest therein for the use of the state or any agency thereof by right of eminent domain may be affected in the following manner.'

'Sec. 24-B. Manner of taking. The governor and council may adopt an order of taking which shall contain a description of the land taken sufficiently accurate for its identification and shall state the interest therein taken and the purpose for which such property is taken.'

'Sec. 24-C. Procedure. All proceedings hereunder shall be in accordance with the provisions of sections 11 to 22, inclusive, of chapter 48.'

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