

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 872

H. P. 1554

House of Representatives, February 17, 1949.

Referred to Committee on Ways and Bridges. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Campbell of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Location and Alteration of State or State Aid
Highways.

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

R. S., c. 20, § 15, amended. Section 15 of chapter 20 of the revised statutes is hereby amended to read as follows:

'Sec. 15. Authority as to location and alteration of state or state aid highways; proceedings for assessment of damages. The commission may alter, widen or change the grade of any state or state aid highway whenever in its judgment the public exigency may require, and may lay out, establish and open a new highway as a state highway; and upon appropriate petition from municipal officers may lay out, establish and open a new highway as a state aid highway. It may also discontinue a highway as a state or state aid highway and the same shall be thereafter maintained by the town or county originally liable therefor except as herein otherwise provided. Whenever the commission shall alter, widen or change the grade of any state or state aid highway as herein provided, to the injury of an owner of adjoining land, or of any easements or other interests in, or of any pipes, hydrants, conduits, wires or similar installations or improvements located in, on, under or over said highway or any adjoining land, he may within 6 months after completion of the work apply in writing for a determination

and assessment of his damages in the manner provided by section 13; and any person aggrieved by said assessment may have the same determined as provided in section 39 of chapter 79. Whenever the commission shall lay out, establish and open a new highway as a state or state aid highway, the damages sustained by the owner of any land through which said highway passes **or by the owner of any easements or other interests in, or of any pipes, hydrants, conduits, wires or similar installations or improvements located in, on, under or over any land over which said highway passes,** shall be determined, assessed and apportioned as provided in section 13, and any person aggrieved by such award may have the damages determined as hereinbefore provided in cases of altering, widening or changing of grade. **The word "damages" wherever used in this section shall be deemed to include, but is not limited to, the reasonable cost of any relocating of pipes, hydrants, conduits, wire, poles or similar installations or improvements so located provided such relocating is made necessary by reason of action of the commission under this section.'**