

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

Chapter 248

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 the 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 by right of eminent domain may be effected in the following manner.’

‘Sec. 24-B. Manner of taking. Whenever the public exigencies require it, 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 12 to 22, inclusive, of chapter 48.’

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