

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

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sage of any navigable river, harbor or collection of water; corrupting or rendering unwholesome or impure the water of a river, stream or pond; unlawfully diverting it from its natural course or state, to the injury or prejudice of others; and the obstructing or encumbering by fences, buildings or otherwise, of highways, private ways, streets, alleys, commons, common landing places or burying grounds are nuisances within the limitations and exceptions hereafter mentioned, and all automobile dumps or automobile graveyards, so called. Any places where one or more old, discarded, worn out or junked automobiles, or parts thereof, are gathered together, kept, deposited or allowed to accumulate, in such manner or in such location or situation, either within or without the limits of any highway, as to be unsightly, detracting from the natural scenery and injurious to the comfort and happiness of individuals and the public, and injurious to property rights, are declared to be public nuisances.

Effective September 21, 1963

Chapter 306

AN ACT Providing Access Roads to Ski Areas Open to General Public.

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

R. S., c. 23, § 57-A, additional. Chapter 23 of the Revised Statutes is amended by adding a new section 57-A, to read as follows:

'Access Roads to Ski Areas.

Sec. 57-A. Access roads to ski areas open to general public. Whenever the municipal officers of one or more municipalities, or the county commissioners if they are acting in the capacity of municipal officers, and the owner or owners of a ski area open to the general public jointly deem it necessary that a road be constructed in the municipality or unorganized township represented by the municipal officers or county commissioners, they may jointly petition the State Highway Commission for the construction of such a road. Following a review of the petition, if the State Highway Commission deems it advisable to do so, it shall arrange for a public hearing to be held for the purpose of allowing the petitioners and others interested in the proposed road to be heard. Following the hearing, if the State Highway Commission decides construction of such a road is warranted, it may arrange for such construction under the following conditions:

I. Consent of owner. Such a road shall be constructed only with the consent of the owner or owners of the land over which the section of road shall be constructed, which owner shall donate the land required in accordance with the requirements of the State Highway Commission. Following donation of the land to the municipality or municipalities or county or counties, the said municipality or municipalities or county or counties which are involved shall lay out the way as a town or county way.

II. Cost. The cost of construction shall be paid 50% from the General Highway Fund, 25% from the municipality and county if the road is located in

whole or in part in unorganized township or townships, and 25% from the owner or owners of the ski area involved. Construction shall not be authorized by the State Highway Commission until the owner of the ski area involved gives a bond to the State, approved by the State Highway Commission, to guarantee the payment of the ski owner's proportionate share and the municipality or county involved advises the State Highway Commission that its share of funds is available for construction of the access road.

III. Supervision. The State Highway Commission shall have the responsibility for the supervision and construction of the road.

IV. Limitation. No more than 2 miles of access road shall be constructed under this section to serve any one ski area.

V. Prerequisite. Before the State Highway Commission shall authorize the construction of the road the commission shall determine that there has been expended in developing the facilities of the ski area a minimum of \$100,000 or that there are funds in the amount of at least \$100,000 available to be expended in developing the facilities of the ski area within a time to be established by the State Highway Commission.

VI. Maintenance. Upon completion of the sections of access road constructed under this section the municipality or municipalities and county or counties in which the section of highway is located shall assume the responsibility for properly maintaining the road as a public highway.

No such road shall be constructed until the municipalities and counties that are involved have appropriated or raised by taxation or otherwise in such municipalities and counties a sum sufficient to pay to the State their proportionate share of the cost of such access road constructed under this section.'

Effective September 21, 1963

Chapter 307

AN ACT Adjusting Salary for the Supreme Judicial Court Messenger in Cumberland County.

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

R. S., c. 103, § 14, amended. Section 14 of chapter 103 of the Revised Statutes is amended to read as follows:

'Sec. 14. Messenger in Cumberland County. Any Justice of the Supreme Judicial Court residing in Cumberland County may appoint a messenger to act at all sessions of the law court in said county and at all equity sessions held in said county, whose compensation shall be the same as, but shall not exceed, the amount allowed to the messenger for the Supreme Judicial Court on July 13, 1929 who shall receive an annual salary of \$3,000 in full compensation for service and attendance to be paid from the county treasury.'

Effective September 21, 1963