

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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Board, inclusive of interest, over the final award and for its costs from the time of appeal. Execution may be issued on such judgment.

If either the owner or owners of record or the commission appeal and the just compensation finally awarded, exclusive of interest, is not less than the ~~award of gross damage determined by~~ the Land Damage Board, exclusive of any interest allowed, then the court shall give judgment to the owner or owners the amount in which the final award is in excess of the money deposited in court, **plus the amount paid the owner or owners**, exclusive of any interest awarded by the Land Damage Board, and for interest on such excess from the date of taking and for costs from the time of appeal. No interest shall be allowed on so much of any award as has been paid into court **or on any amount paid to the owner or owners**. The clerk shall certify the final judgment of the court to the commission which shall enter the same of record, and order the same to be paid by the Treasurer of State.'

Effective September 3, 1965

Chapter 298

AN ACT Relating to Amount of Aid to Aged, Blind or Disabled.

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

R. S., T. 22, § 3404, amended. The 2nd sentence of section 3404 of Title 22 of the Revised Statutes is amended to read as follows:

'This aid shall be sufficient, when added to all other income and support, to provide a reasonable subsistence compatible with decency and health; ~~but not exceeding the maximum amount allowable by federal matching in accordance with Title XVI of the Social Security Act, as amended.~~

Effective September 3, 1965

Chapter 299

AN ACT Relating to Investigation in Divorce Cases Involving Child Custody.

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

R. S., T. 19, § 751, amended. Section 751 of Title 19 of the Revised Statutes is amended to read as follows:

§ 751. Investigation where custody of children involved

Whenever in any divorce action the custody of a minor child is involved, the court may request the State Department of Health and Welfare to investigate conditions and circumstances of the child and its parents. Upon completion of investigation the department shall submit a written report to the court at least **5 3** days before date of hearing ~~and at the same time forward a copy thereof to all counsel of record.~~ Such report shall be made available by the clerk of

said court for examination by counsel before hearing. Upon request of any interested party the court shall require the person making the report to testify at time of hearing. Whoever participates in making a report under this section or participates in a judicial proceeding resulting therefrom shall be immune from civil or criminal liability, unless such person acted in bad faith or with malicious purpose.'

Effective September 3, 1965

Chapter 300

AN ACT Imposing Limitation Upon Holding Both Permit for Common Carriers and Contract Carriers.

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

R. S., T. 35, § 1555, sub-§ 6, additional. Section 1555 of Title 35 of the Revised Statutes is amended by adding a new subsection 6 to read as follows:

'6. Limitation upon holding both permit for common carriers and contract carriers. No person, firm or corporation, who has been issued a common carrier certificate, shall be granted a contract carrier permit which would authorize a transportation service between municipalities or points presently served by virtue of his common carrier certificate unless the commission finds that the public interest so requires, and no person, firm or corporation shall be granted such a contract carrier permit if such person, firm or officers, directors or stockholders of such corporation are those who have been issued a common carrier certificate unless the commission finds that the public interest so requires. Any person, who has been issued a common carrier certificate and a contract carrier permit which authorizes transportation service between municipalities or points being served by virtue of his common carrier certificate, shall relinquish either the certificate or the permit on or before January 1, 1969 unless otherwise authorized to retain both by the commission, and any such contract carrier permit which is relinquished shall not be transferred to any corporation whose officers, directors or stockholders are persons who are presently holding a common carrier certificate. For the purpose of this subsection, "person" shall be defined to include any partnership, corporation, trust or any other association. No carrier operating by virtue of its contract carrier permit shall transport in the same vehicle at the same time any property for hire not authorized by the said permit, nor shall any carrier authorized to operate both as a common carrier and as a contract carrier transport property as a common carrier and as a contract carrier in the same vehicle at the same time.'

Effective September 3, 1965

Chapter 301

AN ACT Relating to Inspection of Certain Farm Trucks.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and