

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE  
**One Hundred and Third Legislature**  
**1967**

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## Chapter 436

### AN ACT Relating to Appeals from Land Damage Board.

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

**R. S., T. 23, § 157, amended.** The 2nd paragraph of section 157 of Title 23 of the Revised Statutes is amended to read as follows:

The court shall determine the same by a verdict of its jury or, if all parties agree, by the court without a jury or by a referee or referees and shall render judgment for just compensation, with interest where such is due, and for costs in favor of the party entitled thereto; except that if the commission appeals and if the commission does not prevail, interest where such is due and costs shall be paid by the commission and the owner or owners shall be reimbursed by the commission for a reasonable attorney's fee.

Effective October 7, 1967

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## Chapter 437

### AN ACT to Allow the Use of Certain Government Bonds in Place of Retention of Payments Due Contractor in State Contracts.

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

**R. S., T. 5, § 1746, amended.** Section 1746 of Title 5 of the Revised Statutes is amended by adding at the end the following:

Under any contract made or awarded by the State or by any public department or official thereof, including the construction, improvement or repair of any and all ways, roads or bridges with appurtenances which, by law, are under the supervision of the State Highway Commission, the contractor may, from time to time, withdraw the whole or any portion of the amount retained for payments to the contractor pursuant to the terms of the contract, upon depositing with the Treasurer of State: United States treasury bonds, United States treasury notes, United States treasury certificates of indebtedness, United States treasury bills, or bonds or notes of the State of Maine or bonds of any political subdivision in the State of Maine. No amount shall be withdrawn in excess of the market value of the securities at the time of deposit or of the par value of such securities, whichever is lower.

The Treasurer of State shall collect all interest or income when due on the obligations so deposited and shall pay the same, when and as collected, to the contractor who deposited the obligations. If the deposit is in the form of coupon bonds, the Treasurer of State shall deliver each coupon as it matures to the contractor. The Treasurer of State shall have the power to enter into a contract or agreement with any national bank, trust company or safe deposit company located in New England or New York City for custodial care and servicing of any securities deposited with him pursuant to this section. Such services shall consist of the safekeeping of said securities and of all services required to effectuate the purposes of this section.