ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document No. 1890

S. P. 564

The Committee on Judiciary suggested by Committee on Reference of Bills
Approved by a Majority of the Legislative Council pursuant to Joint Rule 25.
Sent down for concurrence and ordered printed.

Presented by Senator Collins of Knox.

MAY M. ROSS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-SEVEN

AN ACT to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine.

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

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies have created uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary to resolve such uncertainties and confusion to prevent any injustice or hardship on the people of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning 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. 1 MRSA § 12, last sentence, is amended to read:

If compensation for land is not agreed upon, the estate may be taken for the intended purpose by payment of a fair compensation, to be ascertained and determined in the same manner as and by proceedings similar to those provided for ascertaining damages in locating highways, in Title 23, chapters 201 to 207.
B. Has been used as his dwelling place either year round or seasonally prior to the effective date of this Act March 30, 1976; and

Sec. 92. 38 MRSA § 451-A, sub-§ 6, ¶ C, sub-¶ (3), as enacted by PL 1975, c. 700, § 2, is amended to read:

(3) the discharge will not differ in kind or be greater in quantity from that which occurred prior to the effective date of this Act March 30, 1976, on a year round basis or seasonally;

Sec. 93. P&SL 1941, c. 69, § 20, 1st sentence, as enacted by P&SL 1957, c. 133, is amended to read:

The provisions of the Revised Statutes and amendment thereto shall apply to criminal acts and civil violations committed on the turnpike.

Sec. 93-A. P&SL 1957, c. 128, § 9, 3rd ¶ from the end, as repealed and replaced by P&SL 1977, c. 49, is repealed and the following enacted in its place:

Said trustees may not issue the district's notes or bonds in an aggregate sum of more than $500,000, except for notes and bonds issued in anticipation of federal or state funds, or both, without first obtaining the approval of a majority of the voters at a duly called and held town meeting called by the municipal officers of the Town of Topsham. The selectmen of the town shall call such a meeting promptly on written request of a majority of the trustees of the district. Outstanding sums due on any bonds or notes issued in anticipation of federal or state funding are not to be included in determining the $500,000 limit requiring municipal vote.

Sec. 94. Resolves, 1977, c. 10, amended. Resolved: That that part relating to District Number Six (Five) of the resolves of 1977, c. 10, is amended to read:

District Number Six (Five), consisting of that part of the City of Lewiston described as follows: Beginning in the center line of Sabattus Street and the center line of Old Greene Road; thence northerly along the center line of Old Greene Road to the center line of Garcelon Street; thence easterly and southerly along the center line of Garcelon Street to the center line of Sabattus Street; thence easterly along the center line of Sabattus Street to the center line of Pond Road; thence southwesterly along the center line of Pond Road to the center line of Webster Street; thence northwesterly along the center line of Webster Street to the center line of Mitchell Street; thence southwesterly along the center line of Mitchell Street to the center line of Pleasant Street; thence northwesterly along the center line of Pleasant Street to the center line of East Avenue; thence northerly along East Avenue to the center line of Webster Street; thence northwesterly along the center line of Webster Street to the center line of Sylvan Avenue; thence northeasterly along the center line of Sylvan Avenue to the center line of Sabattus Street; thence northeasterly along the center line of Sabattus Street to the point of beginning, 1 Representative;

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