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## **An Act To Clarify the Purpose of the Notice Requirement of Land Taking by the Department of Transportation**

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

**Sec. 1. 23 MRSA §156, 4th ¶**, as repealed and replaced by PL 1991, c. 684, §2, is amended to read:

An attested copy of each award must be sent immediately to the Department of Transportation and to the party or parties named in the award. The State Claims Commission shall state by letter the date it forwarded the award and all parties shall within 30 days designate to the commission the award or awards from which an appeal will be taken to Superior Court. If no appeal is taken within 30 days of the date of issuance of the commission award, the State Claims Commission shall promptly notify the Department of Transportation. The Department of Transportation shall, within 60 days from the date of issuance of the commission award, pay the awarded amount to the party or parties named in the award. The failure of a party to designate to the commission the award or awards from which an appeal will be taken within 30 days from the date the commission forwards an award does not affect the party's right to take an appeal to the Superior Court.

**Sec. 2. Application.** This Act applies to appeals from an award of the State Claims Commission that were pending on or after January 1, 2009.

### **SUMMARY**

This bill allows a party to appeal an award by the State Claims Commission to the Superior Court although the party failed to designate to the commission the award or awards from which an appeal will be taken within 30 days of the commission forwarding the award.