

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 306

House of Representatives, Feb. 28, 1919.

Referred to Committee on Ways and Bridges. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Granville of Parsonsfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Provide Aid for Assistance of Towns in Maintaining Town Highways.

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

Section 1. Section thirty-six of the revised statutes as
2 enacted in chapter two hundred fifty-eight of the public
3 laws of nineteen hundred seventeen is hereby amended by
4 striking out all of said section and substituting therefor the
5 following section:

'Sect. 36. MILL TAX HIGHWAY FUND CREATED.
2 HOW EXPENDED. A tax of one mill on a dollar shall
3 annually be assessed upon all property of the state accord-
4 ing to the value thereof, and shall be known as the mill tax

5 highway fund for the construction of highways, as defined
6 in section five, chapter twenty-five of the revised statutes.
7 One-third of the mill tax highway fund shall annually be
8 applied under the provisions of this act in the construction
9 and maintenance of second and third-class highways as
10 defined in section five of chapter twenty-five of the revised
11 statutes in addition to other funds provided for the con-
12 struction of state aid highways and shall be known as the
13 third-class highways fund. Two hundred thousand dollars
14 of the amount herein named shall be added to the fund of
15 three hundred thousand dollars for state aid construction
16 as provided in section thirty-four, chapter twenty-five of the
17 revised statutes, and shall be applied to the construction of
18 state aid highways and shall be called state aid highway
19 fund. The balance of said mill tax highway fund shall be
20 exclusively for the construction of state highways as pro-
21 vided in chapter twenty-five of the revised statutes and
22 shall be called state highway fund; except so far as may be
23 necessary to carry out the provisions of this section and
24 meet the requirements of the national government in order
25 for the state to receive federal aid for highway construc-
26 tion, the state highway fund shall be expended equitably
27 among the several counties of the state by the state high-
28 way commission.'

Sect. 2. The administration and expenditure of the third-
2 class highways fund shall be under the general supervision
3 of the state highway commission, and shall be apportioned

4 and expended for the construction and maintenance only
5 when towns which upon application for such state aid shall
6 have appropriated, in addition to the appropriation for state
7 aid work and appropriations under the so-called bridge act,
8 an amount not less than the average by them appropriated
9 for ways and bridges for the five years immediately preced-
10 ing the year of such application, provided the five year av-
11 erage be not less than four mills on the valuation of such
12 town or towns. The third-class highways fund shall be dis-
13 tributed as follows; to towns whose tax rate is four mills and
14 under five mills aid shall be appropriated at the rate of ten
15 dollars for each mile of wrought highway in the town, and
16 for each one mill increase above said four mills on the tax
17 rates for highway purposes in any town, an increase of one
18 dollar per mile of wrought highway shall be allowed to such
19 town. Any balance remaining from this fund at the end of
20 the year shall on December thirty-first annually be added to
21 the equalization fund named in section five of said chapter
22 two hundred fifty-eight of the public laws of nineteen hun-
23 dred seventeen, and used for that purpose.

Sect. 3. Municipal officers of any town may, prior to
2 June one in any year, file with the state highway commis-
3 sion the description or location of the road whose construc-
4 tion and improvement they recommend under the pro-
5 visions of this act. Upon approval of said location by the
6 state highway commission, the municipal officers shall pro-
7 ceed with the construction of a section upon said location

8 in conformity with the provisions of the following section
9 of this act. After acceptance by the state highway com-
10 mission of a location as above, construction shall be con-
11 tinued on that location until the entire length of the road has
12 been constructed, or until the location is changed. Upon
13 the completion of any road located as above, municipal offi-
14 cers shall file with the state highway commission recom-
15 mendation for location upon another road. The work per-
16 formed under this act shall be completed before the thirtieth
17 day of September annually and in no case shall any of the
18 third-class highways fund be expended upon a section of a
19 road where the buildings are nearer than two hundred feet
20 apart for a distance of one-fourth of a mile or more.

Sect. 4. Highways improved by the expenditure of funds
2 received under this act shall be made to conform to the fol-
3 lowing standard of construction; they shall be graded to a
4 width of not less than eighteen feet between side ditches; in
5 forming the grade, all turf, sod and vegetable matter shall
6 be excluded and no stone shall be nearer than six inches to
7 the surface of the road; all stones, boulders and ledge shall
8 be removed from the side ditches; the traveled way shall
9 have a suitable crown, not to exceed eighteen inches; ade-
10 quate culverts of proper size and substantial construction
11 shall be provided with the necessary outlets and offtake side
12 ditches, so that water will not stand in the culverts; all side
13 ditches shall be constructed so as to give the road good
14 drainage; all springs and mire holes shall be suitably under-

15 drained; across low land and sandy soil a surface of gravel
16 or suitable material shall be provided not less than twelve
17 feet in width and four inches in thickness; guard rails shall
18 be built where necessary.

Sect. 5. The state highway commission shall cooperate
2 with the municipal officers in the execution of improvement
3 work under this act. No money shall be paid by the state
4 on account of work performed under this act until the work
5 has been inspected and accepted by the state highway com-
6 mission.

Sect. 6. Roads constructed under the provisions of this
2 act must be suitably maintained by the town, under penalty
3 of forfeiture of right of the town to receive the benefit of
4 future apportionments under this act. A sum not to ex-
5 ceed twenty-five per cent. of any year's apportionment to a
6 town under the provisions of this act may be used for main-
7 tenance of road constructed under the provisions hereof.