

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

H. P. No. 1085

H. D. No. 322

House of Representatives, March 10, 1925.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Leland of Sangerville.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT Relating to State Highways and to the Creation and
Expenditure of the Mill Tax Highway Fund.

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

Section 1. R. S., c. 25, sec. 36; P. L., 1917, c. 258; 1919,
2 c. 220; 1919, c. 263, sec. 1; relating to creation of mill tax
3 highway fund and expenditure thereof, amended. Chapter
4 two hundred and fifty-eight of the public laws of nineteen
5 hundred and seventeen added a section, to be known as
6 section thirty-six, to chapter twenty-five of the revised stat-
7 utes as theretofore amended. Chapter two hundred and
8 twenty of the public laws of nineteen hundred and nineteen
9 amended said section thirty-six as was in said chapter indi-

10 cated. Chapter two hundred and sixty-three of the public
11 laws of nineteen hundred and nineteen, special session Nov-
12 ember fourth to eighth, nineteen hundred and nineteen,
13 amended said chapter two hundred and twenty of the public
14 laws of nineteen hundred and nineteen as set forth in said
15 chapter two hundred and sixty-three. Said chapter two
16 hundred and sixty-three of the public laws of nineteen hun-
17 dred and nineteen, special session, is hereby amended as
18 follows: on pages thirty, thirty-one and thirty-two of the
19 acts passed at said special session, as printed in the special
20 laws enacted at said session, appears sections one, two, three,
21 four, five, six, seven and eight. Section one on page thirty
22 is hereby amended by striking out in the fourth line thereof
23 the words "or maintenance or both of" and substituting
24 therefor the words 'of third class'; and by striking out of
25 said section in the fifth line thereof between the words "not
26 more than" and the words "of the fund" in the sixth line
27 the words "one-sixth" and substituting therefor the words
28 'one hundred thousand dollars,' so that said section, as
29 amended, shall read as follows:

'Section 1. Mill tax fund to be used in construction of
2 third class highways, except \$100,000 for highways and
3 bridges. A tax of one mill on a dollar shall annually be
4 assessed upon all property of the state according to the value
5 thereof, and shall be known as the mill tax highway fund.
6 This fund shall be used for the construction of third class
7 highways as defined in section five of chapter twenty-five of

8 the revised statutes, except that not more than one hundred
9 thousand dollars of the fund shall annually be used for the
10 construction of highways and bridges and other purposes
11 contemplated by said chapter twenty-five and in accordance
12 with the terms of any appropriate resolves of the legislature.'

Sect. 2. P. L., 1919, c. 263, sec. 3; relating to administra-
2 tion, expenditure and apportionment of third class highway
3 fund, amended. Section three of chapter two hundred and
4 sixty-three of the public laws of nineteen hundred and nine-
5 teen, special session, November fourth to eighth, (being that
6 section beginning at the bottom of page thirty in the pub-
7 lished report of the laws of that session) is hereby amended
8 by striking out all of said section after the word "appor-
9 tioned" in the third line thereof, and substituting therefor
10 the following: 'Among the various towns according to the
11 number of miles of third class roads contained therein as
12 determined by the highway commission, provided that such
13 towns shall have appropriated for the current year in addi-
14 tion to the appropriation for state aid work and appropria-
15 tion under the so-called bridge act, for roads and bridges,
16 summer and winter, an amount not less than four mills on
17 the valuation of such town,' so that such section, as amend-
18 ed, shall read as follows:

'Sect. 2. Third class highway fund to be apportioned
2 among towns according to miles of third class roads therein,
3 provided town appropriate four mills for roads. The ad-
4 ministration and expenditure of the third class highway

5 fund shall be under the general supervision of the state
6 highway commission and shall be apportioned among the
7 various towns according to the number of miles of third
8 class roads contained therein, as determined by the high-
9 way commission, provided that such towns shall have ap-
10 propriated for the current year in addition to the appropria-
11 tion for state aid work and appropriation under the so-called
12 bridge act, for roads and bridges, summer and winter, an
13 amount not less than four mills on the valuation of such
14 town.'

Sect. 3. P. L. 1919, c. 263, sec. 4; relating to filing descrip-
2 tion of location, when work to be completed, change of
3 location, etc., amended. Section four of said chapter two
4 hundred and sixty-three of the public laws of nineteen
5 hundred and nineteen, special session, November fourth to
6 eighth (being the section four found upon page thirty-one
7 of the published laws of said special session) is hereby
8 amended by striking out the word "September" in the
9 fourteenth line thereof and substituting therefor the word
10 'October,' so that said section, as amended, shall read as
11 follows:

'Sect. 4. Work on roads to be completed before October
2 30, annually. Municipal officers of any town may, prior
3 to October one in any year, file with the state highway com-
4 mission the description or location of the road whose con-
5 struction and improvement they recommend under the pro-
6 visions of this act. Upon approval of said location by the

7 state highway commission, the municipal officers shall pro-
8 ceed with the construction of a section upon said location in
9 conformity with the provisions of the following section of
10 this act. After acceptance by the state highway commission
11 of a location as above, construction shall be continued on
12 that location until the entire length of the road has been
13 constructed, or until the location is changed. Upon the
14 completion of any road located as above, municipal officers
15 shall file with the state highway commission recommenda-
16 tion for location upon another road. The work performed
17 under this act shall be completed before the thirtieth day of
18 October annually, and in no case shall any of the third class
19 highway fund be expended upon a section of a road where
20 the buildings are nearer than two hundred feet apart for
21 a distance of one-fourth of a mile or more.'

Sect. 4. P. L., 1919, c. 263, sec. 8, repealed. Section
2 eight of said chapter two hundred and sixty-three of the
3 public laws of nineteen hundred and nineteen, special ses-
4 sion November fourth to eighth (being the section eight
5 found upon page thirty-two of the published report of the
6 public laws of said session) is hereby repealed.

Sect. 5. Apportionment of fund to be made in accordance
2 with returns made on or before April 15, annually. The
3 apportionment of the third class highway fund herein creat-
4 ed shall be made in accordance with the returns which shall
5 have been made by the several towns desiring participation
6 on or before April fifteenth of each year, and no town whose

7 selectmen or other officials authorized by law have not made
8 the returns required by the state highway department on or
9 before said April fifteenth shall be entitled to any apportionment of said fund.

Sect. 6. Foregoing sections not to become effective unless
2 constitutional amendment for further increase of issue of
3 highway bonds is adopted; following sections to become
4 effective. This act shall take effect if and when there is
5 adopted by the people a constitutional amendment to be
6 submitted by this legislature to them, and having reference
7 to a further increase in the issue of bonds for highway purposes. If such constitutional amendment be not adopted
8 by the people, then this act shall not go into effect; and
9 sections one, two, three, four and five of the substitute act
10 provided for in said chapter two hundred and sixteen of
11 the public laws of nineteen hundred and twenty-three shall
12 remain in effect. But if such constitutional amendment be
13 adopted by the people, then said sections one, two, three,
14 four and five of said substitute act shall be thereafter
15 without force or effect and regarded as repealed.