

# MAINE STATE LEGISLATURE

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March 19, 1932

To State Highway Commission  
Re: Funds for Certain Roads in Unincorporated Territory

I have your informal inquiry regarding the Jackman-Rockwood road, accompanied with copy of Mr. Keller's letter to the Chairman of the County Commissioners of Somerset County under date of March 23rd.

As I understand it, the construction of this road was started under a special act of the Legislature of 1915, which referred to it as a state road, and was carried on to its present state of substantial completion under a Private and Special Act of the Legislature of 1929, which did not designate its character. The road, however, has been designated by the Highway Commission as a "state aid road".

Whether or not, strictly speaking, a road running through unincorporated townships, as this one does, can be designated as a state aid road by mutual consent of the county commissioners and Highway Commission and sums necessary for its completion and repairs be raised jointly by the state and the county under the state aid roads act, the county commissioners assessing on the land in the townships through which the road passes sums corresponding to the sums which towns can raise under these acts, is a question which does not need to be definitely determined at this time.

This has been the practice in a number of cases in the past, and I should suggest that the County Commissioners in this case, on taking the matter up with the owners of the townships affected, will probably find that some reasonable arrangement can be made which will work out a satisfactory solution. As I understand it, two of these townships are owned by the same owner. A proposition to apportion \$1500 on one of these townships this year in order to make available state money and complete the construction of the road through that township, to be followed by a similar arrangement with reference to the other township next year, ought to meet with little opposition if taken up with the land owner. If it does meet with opposition, the legal implications of the situation can then be analyzed and determined.

Clement F. Robinson  
Attorney General