

# MAINE STATE LEGISLATURE

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No ✓

April 10, 1963

Earle R. Hayes, Exec. Secretary

Maine Retirement System

Leon V. Walker, Jr., Assistant

Attorney General

**Status of Third Class, State-Aid, and Special Resolve  
Highway Employees**

In your memorandum of April 8th you ask whether persons employed on the three types of highways above mentioned are covered by the State under the Workmen's Compensation Act.

"Third Class Highways" is a term no longer used. When this type of highway was recognized, the State covered employees engaged in construction work, but not those engaged in maintenance.

With regard to State-Aid Highways, either the towns or the State may perform construction and maintenance work. In most instances, towns do maintenance work and receive reimbursement from the State, but if a town does not wish to do the work it may pay in its share of the cost and the State will do the work.

There has been no recent Special Resolve Highway work. Each instance of a Special Resolve designated whether the State or the town was the recipient of the grant of funds.

In the case of an employee of either of the last two classes of highways, it would be necessary to examine the facts of the particular project to determine whether or not the individual was a State employee. The Highway Commission considers only those on the State payroll to be State employees.

Leon V. Walker, Jr.  
Assistant Attorney General

LWVJr:H