

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1131

S. P. 451

In Senate, February 28, 1967

Referred to Committee on Highways. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Ferguson of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to State Aid and Third Class Road Bridges.

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

Sec. 1. R. S., T. 23, § 451, amended. The first 2 paragraphs of section 451 of Title 23 of the Revised Statutes are amended to read as follows:

When the municipal officers of any town or city deem that any bridge on any main thoroughfare must be built or rebuilt, they may petition the ~~commissioners of the county in which said bridge is or may be built or rebuilt, and the commission~~ **State Highway Commission** to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge. ~~The petition shall be sent to the commission and upon its receipt said commission shall transmit a copy thereof to the county commissioners.~~ The commission shall make such surveys and investigations as it may deem important and necessary for the preparation of survey plans and estimates of cost of construction.

The municipal officers of the town or city together with ~~the county commissioners and~~ the commission shall constitute a joint board to determine whether or not public convenience and necessity require the building or rebuilding of said bridge and to determine the type of construction and general dimensions. This board shall determine the estimated cost of construction. Said board shall keep or cause to be kept a written record of its doings, including its findings as to preliminary facts necessary to its organization and jurisdiction. The decision of said board, or a majority thereof, upon any matter within its jurisdiction shall be final and conclusive and the record of its findings upon all preliminary matters shall be prima facie evidence of the truth thereof. The commission shall

appoint the time and place for the meeting of said board and give such notice thereof as it shall deem reasonable and proper.

Sec. 2. R. S., T. 23, § 452, amended. The first paragraph of section 452 of of Title 23 of the Revised Statutes is amended to read as follows:

The cost of construction of a bridge built or rebuilt under this subchapter and subchapter I shall be divided as follows: When the cost of said construction makes a tax rate of $2\frac{1}{2}$ mills or less on the valuation of the town last made by the State Tax Assessor, 45% by the town ~~30% by the county in which said town is located~~ and ~~25%~~ 55% by the State; when the tax rate determined as above is 5 mills, the cost shall be borne as follows: 40% by the town ~~30% by the county~~ and ~~30%~~ 60% by the State; when the tax rate determined as above is $7\frac{1}{2}$ mills, the cost shall be borne as follows: 35% by the town ~~30% by the county~~ and ~~35%~~ 65% by the State; when the tax rate determined as above is 10 mills, the cost shall be borne as follows: 30% by the town ~~30% by the county~~ and ~~40%~~ 70% by the State; when the tax rate determined as above is 15 mills, the cost shall be borne as follows: 25% by the town ~~30% by the county~~ and ~~45%~~ 75% by the State; when the tax rate determined as above is 20 mills, the cost shall be borne as follows: 20% by the town ~~30% by the county~~ and ~~50%~~ 80% by the State; when the tax rate determined as above is 30 mills, the cost shall be borne as follows: 15% by the town ~~30% by the county~~ and ~~55%~~ 85% by the State; when the tax rate determined as above is 40 mills, the cost shall be borne as follows: 12% by the town ~~30% by the county~~ and ~~58%~~ 88% by the State; when the tax rate determined as above is 50 mills, the cost shall be borne as follows: 10% by the town ~~30% by the county~~ and ~~60%~~ 90% by the State. For intermediate tax rates the percentage of cost to be borne by the town and State shall be proportional, computed to the nearest tenth of 1%. When the tax rate determined as above is over 50 mills, the town shall pay a fixed sum, equivalent to $\frac{1}{2}$ of 1% of its state valuation ~~the county 30% of the cost of construction~~ and the State the balance. The cost of reconstruction of a bridge owned and maintained wholly by the county, but located in a town or organized plantation, shall be borne as follows: 50% by the county and 50% by the State.