

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 271

S. P. 112

In Senate, February 9, 1977

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

MAY M. ROSS, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Reconstruction of Certain Railroad Grade Separation Structures on NonFederal Aid State Aid Highways.

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

Sec. 1. 23 MRSA § 1103, 1st ¶, last sentence, as last amended by PL 1971, c. 593, § 22, is further amended to read:

Towns may, upon petition of the selectmen of the town and approval of the department, use a portion or all of the state aid joint fund of the town toward the town's share of the cost of construction or reconstruction of bridges under the Bridge Act or for the town's share of the cost of reconstruction of railroad grade separation structures, on nonfederal aid state aid highways, under section 3411.

Sec. 2. 23 MRSA § 3411, as last repealed and replaced by PL 1971, c. 593, § 13, is amended by adding at the end of paragraph 2 a new paragraph to read:

Notwithstanding the preceding paragraph, the cost of reconstruction of railroad grade separation structures carrying the highway over the railroad, including the alterations to the approaches to said structure, on nonfederal aid state aid highways shall be apportioned as follows: 70% to the Department of Transportation, 10% to the railroad corporation and 20% to the municipality or the county having jurisdiction of the roads in any unorganized township in which said structure is located, provided that the Department of Transportation may vary the aforesaid percentages of cost as it may deem proper after due consideration of the relative benefits to be derived from such reconstruction.

Sec. 3. Effective Date. This Act shall become effective July 1, 1978.

STATEMENT OF FACT

The purpose of this bill is to allow the improvement of deficient railroad grade separation structures on non-federal aid state aid highways. This bill, also, allows towns to use a portion or all of the state aid joint fund of the town toward the town's share of the cost of reconstruction of these structures.