

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 276

S. P. 117

In Senate, February 9, 1977

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

MAY M. ROSS, Secretary

Presented by Senator Greeley of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Make Certain Revisions in Highway Related
Laws Concerning State Aid Funds.**

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

Sec. 1. 23 MRSA § 1005, sub-§ 1, ¶¶'s B, C and D, as last amended by PL 1975, c. 620, § 2, are repealed and the following enacted in their place:

B. If the state valuation is \$2,750,000 or less, such municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to the municipalities in accordance with approved certification of costs; except that such reimbursement shall not exceed \$400 per mile.

C. If the state valuation is more than \$2,750,000 but does not exceed \$3,250,000, the municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to the municipalities in accordance with approved certification of costs; except that such reimbursements shall not exceed \$300 per mile.

D. If the state valuation is more than \$3,250,000 but does not exceed \$4,250,000, the municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to the municipalities in accordance with approved certification of costs; except that such reimbursement shall not exceed \$200 per mile.

Sec. 2. 23 MRSA, § 1005, sub-§ 2, as amended by PL 1971, c. 593, § 22, is repealed and the following enacted in its place:

2. Certification of costs. Certification of costs for the season's snow removal work, on routes designated in section 1002, are to be received at the

office of the Department of Transportation on or before May 1st, following the winter in which the work is done.

Sec. 3. 23 MRSA, § 1103, as last amended by PL 1973, c. 595, § 2, is repealed and the following enacted in its place:

§ 1103. Increase in aid

If any town shall in any single year increase its appropriation for state aid roads to an amount of 2, 3, 4 or 6 times the maximum amount which it may annually appropriate under section 1101, the department may, from any balance of the fund for state aid construction or reconstruction, after the appropriations contemplated in section 1102 and subject to section 1105 as to apportionment, appropriate a like increase of state aid; such appropriations shall not deprive the town of its right to the regular annual state aid in other years. The appropriations contemplated by this section shall be united with and become a part of the joint fund referred to in section 1102. Municipalities may, upon petition of the municipal officers of the town and approval of the Department of Transportation, 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.

This section shall apply to appropriations made by towns for improvement and construction of state highways under section 1101, and to the corresponding apportionments of state aid made under section 1102 and subject to section 1105. Any town may expend up to 3 units of its state aid joint fund as provided by section 1101 and 1102 as construction. Any town may expend the balance of the state aid joint fund raised in one year as reconstruction of improved state or state aid highways.

Each municipality shall raise in terms of whole units and shall report each year as to how these units shall be expended in terms of construction or reconstruction.

Nothing in this section shall prohibit any town from expending in terms of whole units, any amount of 1, 2, 3, 4 or 6 units of its state aid joint fund for reconstructing improved state or state aid highways or in maintaining, including resurfacing, of improved state or state aid highways outside compact or built up sections of highways as defined in section 754, and in constructing unimproved bridges and approaches which are located between sections of improved state aid highways. The proposed locations and type of work proposed under this section shall be subject to the approval of the Department of Transportation.

The department shall increase its apportionment of state aid by 40% of the state aid joint fund so expended for reconstruction of improved state or state aid highways or for construction of unimproved bridges and approaches under the Bridge Act, provided the bridge is located between sections of improved state aid highways.

Sec. 4. 23 MRSA § 1104, as last amended by PL 1973, c. 788, § 103, is repealed.

Sec. 5. 23 MRSA § 1108, as amended by PL 1975, c. 745, § 2, is repealed and the following enacted in its place:

§ 1108. Use of joint fund with Town Road Improvement Fund

If any town desires that the whole or any portion of the joint fund provided in sections 1101, 1102 and 1103 shall be applied to the construction of unimproved state aid or town ways within its boundaries, an amount not to exceed 3 units may be so applied at the discretion of the department. All state aid joint funds so transferred shall be expended in accordance with chapter 19, subchapter V. Roads constructed under this section shall be maintained by the towns.

Sec. 6. 23 MRSA § 1109, 3rd sentence, as last amended by PL 1971, c. 593, § 22, is further amended to read:

If any such town then appropriates money for the purpose of securing state aid, the municipal officers shall forthwith notify the department of the amount so appropriated and shall identify the number of units to be used for construction and reconstruction.

Sec. 7. **Effective date.** Sections 3, 4, 5 and 6 of this Act shall become effective July 1, 1978.

STATEMENT OF FACT

The purpose of this bill is to eliminate the present requirement whereby municipalities having a valuation of \$4,250,000 or less must submit payrolls monthly in order to receive reimbursement for snow removal and allows greater flexibility in the use of joint state aid funds.