

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2054

S. P. 666

In Senate, January 11, 1978

Governor's Bill. The Committee on Transportation suggested.

MAY M. ROSS, Secretary

Presented By Senator Greeley of Waldo

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Make Allocations from the Unappropriated Highway Fund Surplus for the
Fiscal Year Ending June 30, 1979.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the next fiscal year will begin before that 90-day period terminates; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 23 MRSA c. 9, sub-c. VI is enacted to read:

SUBCHAPTER VI

TOWN WAY BRIDGES

§ 605. Reconstruction in towns

Municipal officers may petition the Department of Transportation to participate in the cost of reconstruction of bridges on town ways, including highways over railroad bridges. The department shall make the surveys and investigations which it deems important in determining the necessity of reconstructing the bridges and shall be the sole arbiter as to whether the bridges shall be reconstructed under this subchapter.

§ 606. Apportionment of costs; definitions

The cost of reconstruction of a bridge reconstructed under this subchapter shall be apportioned as follows: Fifty percent to the Department of Transportation and 50% to the municipality; except, when a railroad grade separation structure is reconstructed, under this subchapter, the costs shall be shared as provided in section 3411.

The department is authorized to use any eligible federal funds to reduce proportionately the nonfederal shares of the cost of reconstruction.

Whenever the word "municipality" occurs in this subchapter, it shall include towns, cities, organized plantations and unorganized townships and the word "bridge" shall mean only a structure which requires a span of 10 or more feet between the faces of the abutments.

§ 607. Maintenance

All costs of maintenance of any bridge reconstructed under this subchapter shall be borne entirely by the municipality.

Sec. 2. 23 MRSA § 1103, first ¶, as last repealed and replaced by PL 1977, c. 405, § 3, is amended by adding at the end the following new sentence:

Towns may, upon petition of the municipal officers of the town and approval of the department, use up to 3 units of the state aid joint fund of the town toward the town's share of the cost of reconstruction of bridges under chapter 9, subchapter VI.

Sec. 3. Allocation from the Unappropriated Highway Fund Surplus. There is allocated from the Unappropriated Highway Fund Surplus the sum of \$4,000,000 which shall be segregated, apportioned and expended as designated in the following schedule:

	1978-79
0330 Highway-summer maintenance	\$ 700,000
0406 Highway-highway & bridge improvements	2,800,000
Highway-town road bridge improvement program	500,000

Total allocations	\$4,000,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1978.

STATEMENT OF FACT

The purpose of this bill is to provide additional funds for highway and bridge improvements and maintenance resurfacing projects. Also, it provides financial aid for town way bridge replacements.