

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 176  
6

7 S.P. 70

In Senate, January 13, 1983

8 Reference to the Committee on Local and County Government. Sent  
9 down for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

11 Presented by Senator Emerson of Penobscot.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Relating to the Laying Out,  
18 Altering, Discontinuing, Maintaining  
19 and Repairing of Roads and Bridges  
20 in Unorganized Territories.

21  
22 Be it enacted by the People of the State of Maine as  
23 follows:

24 Sec. 1. 23 MRSA §4051 is repealed and the fol-  
25 lowing enacted in its place:

26 §4051. Inspection of roads; costs for repairs; agent  
27 to superintend repairs

28 The county commissioners in September or October  
29 annually, by one or more of their board, shall make  
30 an inspection of all county roads, state and state  
31 aid highways and other roads originally located as  
32 town roads in the unorganized territory, deorganized

1 towns and tracts of land in their counties and shall  
2 thereupon make an estimate of the amount needed for  
3 repairs, cutting bushes, maintenance, snow removal  
4 and improvements, so as to comply with the provisions  
5 of the state highway laws, and to otherwise make them  
6 safe and convenient for public travel for the follow-  
7 ing year. The amount needed shall be included in the  
8 "municipal cost component" as provided in Title 36,  
9 section 1603, subsection 1, paragraph C. The  
10 county commissioners at the time the funds provided  
11 for by this section are available may appoint an  
12 agent or agents, skilled in road building, not mem-  
13 bers of their board, to superintend the expenditure  
14 thereof, who shall give bonds as provided in section  
15 4102.

16       Sec. 2. 23 MRSA §4052 is amended to read:

17 §4052. Repair of roads and bridges; assessment;  
18 agents

19       County commissioners, in case of sudden injury to  
20 county roads and bridges in unincorporated townships  
21 and tracts of land in their counties or where ~~said~~  
22 those roads and bridges are rendered impassable by  
23 snow, may cause them to be repaired or made passable  
24 forthwith or as soon as they deem necessary, and may  
25 appoint an agent or agents, not members of their own  
26 board, to superintend the expenditure therefor, who  
27 shall give bond as required in section 4102, if re-  
28 quired, the whole expense whereof shall be paid from  
29 "municipal cost component" funds and shall be added  
30 to their next assessment on said lands the amount  
31 required for repairs authorized by section 4051,  
32 which ~~assessment amount~~ shall create a lien upon said  
33 those lands for the whole amount thereof as effectu-  
34 ally as is now provided in relation to repairs on  
35 ~~such those~~ county roads. That portion ~~of such assess-~~  
36 ~~ment,~~ which is for repairs of sudden injuries shall  
37 be set down ~~in the assessment~~ in distinct items and  
38 shall be enforced in the same manner as provided for  
39 the enforcement of collection of county taxes.

40       Sec. 3. 23 MRSA §4106, as enacted by PL 1971, c.  
41 616, §4, is repealed and the following enacted in its  
42 place:

1     §4106. Assessments repealed

2             In lieu of the assessments provided in sections  
3     4001, 4051, 4052, 4101, 4102, 4103, 4104 and 4105 for  
4     the laying out, altering, discontinuing, maintaining  
5     and repairing of roads and bridges, the county com-  
6     missioners shall determine the amounts necessary and  
7     the amounts shall be included in the "municipal cost  
8     component" as provided in Title 36, section 1603,  
9     subsection 1, paragraph C.

10

STATEMENT OF FACT

11             This bill corrects inconsistencies between the  
12     statutes in Title 23 and Title 36 which resulted when  
13     the Unorganized Territory Educational and Services  
14     Fund was created.

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