

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 493

In Senate, March 14, 1913.

*Reported by Senator Conant from Committee on Ways and
Bridges, and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to establish a State Highway Commission and to
provide for an issue of State Highway Bonds.

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

Section 1. The objects of this act are to establish a state
2 highway commission; to provide for an interlocking system
3 of state highways; to furnish state aid for important county
4 and town highways; to provide for the continuous mainten-
5 ance of all highways to the improvement of which the state
6 has contributed or shall hereafter contribute; to provide for
7 a bond issue, and for the equitable distribution of the
8 proceeds of the same among the several counties.

Sect. 2. The rules of construction in section six of chapter
2 one of the revised statutes shall apply to this act. The word
3 “maintenance” shall include the restoring of reconstructed
4 and improved highways to their condition when improved
5 and shall be applicable only to highways to the improvement
6 of which the state has contributed or shall hereafter con-
7 tribute, except as elsewhere herein provided. The word
8 “commission” shall mean the state highway commission.
9 The word “town” shall include cities, towns, organized
10 plantations and unincorporated townships, except as herein
11 otherwise indicated. The words “municipal officers” shall
12 also include county commissioners having jurisdiction over
13 highways in unincorporated townships. The word “valua-
14 tion” shall mean the valuation last made by the state board
15 of assessors. The word “section” shall refer to this act,
16 unless otherwise indicated.

Sect. 3. Within thirty days after this act takes effect the
2 governor with the advice and consent of the council shall
3 appoint a state highway commission consisting of three
4 members, one to serve three years, one to serve two years,
5 and one to serve one year. Each member of the commission
6 shall be paid a salary of one thousand dollars per annum,
7 payable in equal quarterly payments, and shall be paid also
8 his necessary expenses incurred when engaged on official
9 business. As vacancies occur by expiration they shall be
10 filled by appointment as above described and such appoint-
11 ment shall be for three years. Whenever a vacancy occurs

12 by reason of death, incapacity, or resignation, appointment
13 shall be made as above described for the unexpired portion
14 of such term. The first member appointed for three years
15 shall be the chairman of the commission, and shall continue
16 in such capacity for his full term. Succeeding chairmen
17 shall be chosen annually by the commission from its own
18 members, but in case of no choice, the governor shall appoint
19 the chairman. The attorney general of the state shall be
20 attorney for the commission and shall without additional
21 compensation give the commission such advice and service
22 as it may from time to time require. The commission shall
23 be furnished with suitable offices at the seat of government.

Sect. 4. The state highway commission when appointed
2 and qualified under this act shall take over all the affairs of
3 the present state highway commissioner and his office, in-
4 cluding all office records and accounts, and all existing con-
5 tracts to which the state is a party, and all powers and
6 duties of said commissioner relating thereto. The com-
7 mission shall perform all the duties and may exercise all the
8 powers expressly or impliedly given it by this act. The
9 office of the present state highway commissioner is hereby
10 abolished as of the date on which the state highway com-
11 mission provided by this act is appointed and qualified. The
12 commission shall succeed to all rights and duties of said
13 state highway commissioner under all contracts made by
14 him and it shall have full power to enforce the same at law
15 and in equity.

Sect. 5. The commission shall select and with the approval
2 of the governor and council appoint as chief engineer, a civil
3 engineer having experience in and knowledge of highway
4 construction, upon terms to be fixed from time to time by
5 the commission subject to the approval of the governor and
6 council. Said engineer shall hold office during the pleasure
7 of the commission. He shall under the direction and control
8 of the commission have general charge of the office, the
9 records, and all construction and maintenance work, and
10 may with the approval of the commission employ necessary
11 clerical assistance. The engineer may with the approval
12 of the commission employ such other engineers, supervisors,
13 assistants and help as he may deem necessary in the admin-
14 istration and execution of this act. All salaries for persons
15 employed by the engineer shall be approved by the com-
16 mission. All salaries and expenses contemplated by this
17 section shall be paid from the fund for maintenance and
18 administration.

Sect. 6. The commission shall cause charts and maps to be
2 made showing the location and mileage of all highways in
3 the state, and shall classify the highways of the state into
4 three general classes, and may from time to time amend
5 such classification namely: First, state highways, which
6 shall mean a system of connected main highways through-
7 out the state. Second, state aid highways, which shall mean
8 such highways not included in the system of state highways
9 as shall be thoroughfares between principal settlements, or

10 between settlements and their market or shipping point and
11 in so far as practicable feeders to the state highways.
12 Third, third class highways, which shall mean all other
13 highways not included in the two classes above mentioned.

Sect. 7. The commission shall have full power from time
2 to time to make and shall enforce rules and regulations re-
3 lating to construction and maintenance of all state and state
4 aid highways and relating to the manner of conducting all
5 investigations and hearings and the administration of its
6 office, powers and duties, subject to the provisions of this
7 act, and shall direct the expenditure of all moneys for con-
8 struction and maintenance of all state and state aid high-
9 ways. The commission shall have full power from time
10 to time to purchase, lease or hire all machinery, tools, im-
11 plements and property necessary for highway engineering
12 and construction and for the administration and execution
13 of its duties, and to contract for such labor, materials and
14 property as it may deem necessary for the examination,
15 building and construction of state and state aid highways.
16 The commission may be consulted by and shall without
17 charge advise municipal officers and road commissioners on
18 the subject of construction and maintenance of public high-
19 ways. On all state and state aid highways all guide-posts
20 shall be of such reasonable form, height and design as the
21 commission shall designate. The commission may estab-
22 lish detour roads during construction or repair of state or
23 state aid highways, and may authorize the expenditure of

24 such sums as it deems necessary to make the same safe for
25 travel. In all state and state aid highway construction and
26 maintenance the commission shall have the powers of
27 municipal officers conferred by section twenty-six of chapter
28 twenty-one of the revised statutes relating to construction
29 and maintenance of ditches and drains. The commission
30 shall whenever practicable give preference in employment to
31 the inhabitants of the town in which such highways are
32 located.

Sect. 8. The commission shall lay out, construct and main-
2 tain a system of state and state aid highways substantially
3 as herein described, and the expense of constructing such
4 state highways shall be borne wholly by the state, except
5 as otherwise provided in section twenty-three. The com-
6 mission shall be sole arbiter of the designation of the state
7 and state aid highways, but shall after reasonable notice
8 by publication give all parties interested an opportunity to
9 be heard thereon before commencing such construction.
10 Except as provided in section twenty-three, the construction
11 of state highways shall be paid for wholly from the proceeds
12 of the state bond issue herein provided for, and such pro-
13 ceeds of the aggregate of such bonds shall be expended
14 equitably among the various counties.

Sect. 9. State highways shall be continually maintained
2 under the direction and control of the commission at the
3 joint expense, as hereinafter provided, of the state and the
4 town in which the same are located; the charge against such

5 town for maintenance of its state highways shall be the
6 actual cost of such maintenance but not exceeding an aver-
7 age of sixty dollars per mile per annum, but the commission
8 may in respect thereto grant to such towns such financial
9 assistance as it deems advisable. The provisions of this
10 section shall apply only to those state highways constructed
11 and improved by the state under this act, and to such other
12 portions of designated state highways, to the improvement
13 of which the state has heretofore contributed, as the com-
14 mission may hereafter indicate as taken over by it, and the
15 commission shall as rapidly as it deems advisable so take
16 over such highways for the purpose of maintenance as here-
17 in provided.

Sect. 10. If any town fails to pay, except as otherwise
2 provided within this act, its portion of the cost of the main-
3 tenance of state and state aid highways on or before the
4 first day of January of the following year, the same shall be
5 collected and paid in the manner provided in section twenty-
6 five and the amounts so collected from such town shall be
7 added to the fund for maintenance and administration.

Sect. 11. The commission shall have full power in the
2 letting of all contracts for the construction of all state and
3 state aid highways except as elsewhere herein otherwise
4 provided. The commission shall make all surveys, plans,
5 estimates, specifications and contracts for all proposed work,
6 and shall except as otherwise provided in this act, advertise
7 for bids for the same in two or more public newspapers

8 printed wholly or in part in the state, also in one public
9 newspaper printed wholly or in part in the county where
10 the proposed work is to be done, if any such newspaper is
11 so printed in such county. Such advertisement shall state
12 the place where the bidders may examine the plans and
13 specifications, and the time and place where the bids for
14 such work will be received by the commission. Each bidder
15 must accompany his bid with a certified check, payable to
16 the state treasurer, for ten per centum of the amount of his
17 bid as a guarantee that if the work is awarded to him he
18 will contract with the commission for its due execution.
19 Such checks shall be returned to the respective unsuccessful
20 bidders. The check of the successful bidder shall be re-
21 turned to him upon the execution and delivery to the com-
22 mission of his contract and his bond with sufficient sureties,
23 in terms satisfactory to the commission for the due execu-
24 tion of such work. All bids so submitted shall be publicly
25 opened, read and posted at the time and place stated in such
26 advertisement. The commission shall have the right to
27 reject any or all bids if in its opinion good cause exists
28 therefor, but otherwise it shall award the contract to the
29 lowest responsible bidder. Any town may submit bids for
30 state and state aid highway construction within its limits,
31 and shall be subject to all requirements prescribed for other
32 contractors, except that no bond need be required of it. If
33 all bids for work under this act are rejected, or if no bids
34 are received, the commission may perform said work by any

35 method which the governor and council approve. The com-
36 mission shall have full power in all matters relating to the
37 furnishing of bonds by the successful bidders for the com-
38 pletion of their work and fulfilling of their contracts, and
39 for the protection of the state and town from all liability
40 arising from damage or injury to persons or property. The
41 commission after making surveys, plans and estimates for
42 proposed construction of state aid highways in a town may
43 when deemed by said commission advisable, make contracts
44 with such town according to said survey and specifications
45 and upon terms satisfactory to and under control of the
46 commission without advertising said contracts for bids.

Sect. 12. The commission may purchase, take over, and
2 hold for the state as for public use such materials and land
3 as may be necessary to provide a change of location or
4 alignment of any state or state aid highway as herein desig-
5 nated, or to secure materials, including clay, gravel, sand
6 and rock, with necessary ways and access thereto, for the
7 improvement, construction, and maintenance of state and
8 state aid highways under the provisions of this act. When-
9 ever the commission determines that public exigency re-
10 quires the taking of land as aforesaid, it shall cause the
11 same to be surveyed and described and a plan thereof and
12 said description to be recorded in the registry of deeds for
13 the county where the same is located, and notice thereof
14 shall be given in some newspaper, if any, published wholly
15 or in part in said county. If the commission is unable to

16 purchase such material or land with necessary ways and
17 access thereto at what it deems a reasonable valuation, the
18 county commissioners of the county wherein such material
19 or land is located shall, on petition of the commission or
20 interested parties, ascertain and determine the damages in
21 the same manner as provided by statute for land taken for
22 highway purposes, and all parties aggrieved by the estimate
23 of damage shall have like remedies as provided by statute
24 for appraisal of damages for land taken by towns for high-
25 way purposes, and such damages shall be paid by the treas-
26 urer of state, from the appropriate funds provided under this
27 act. The commission may vacate any land or part thereof
28 or rights in land which have been taken or acquired for
29 highway purposes under the provisions of this act, by exe-
30 cuting and recording a deed thereof, and said vacation shall
31 revert the title to the lands or rights so vacated in the per-
32 sons, their heirs and assigns, in whom it was vested at the
33 time of the taking, and the value at the time of vacation may
34 be pleaded in mitigation of damages in any suit therefor
35 on account of such taking. The governor and council on
36 recommendation of the commission are authorized to sell
37 and convey on behalf of the state the interests of the state
38 in property acquired by purchase under this section and
39 deemed no longer necessary for the purposes of this act, and
40 the proceeds of such sale shall so far as practicable be cred-
41 ited to the fund from which such purchase was originally
42 made.

Sect. 13. No part of bond issue funds for construction shall be expended on any highway within the compact portions of any town, except in towns of less than twenty-five hundred inhabitants, such compact portions to be determined by the commission. All state highways within such compact portions shall be maintained in good repair by the town wherein the same are located at the expense of the town and whenever any town shall neglect so to maintain within fourteen days after notice given its municipal officers by the commission, the commission may proceed to make necessary repairs to such way, which shall be paid for by the state and the cost thereof shall be collected and paid as provided in section twenty-five; and the amounts so collected from such town shall be added to the fund for maintenance and administration. The commission may in respect thereto grant such towns such financial assistance as it deems advisable.

Sect. 14. The commission may alter, widen or change the grade of any state or state aid highway whenever in its judgment the public exigency may require, and it may lay out, establish and open a new highway as a state or state aid highway. It may also discontinue a highway as a state or state aid highway and the same shall be thereafter maintained by the town or county originally liable therefor except as herein otherwise provided. The commission shall fix a time and place for hearing on any such alteration, widening, change of grade or laying out, which may affect

11 parties interested, giving at least fourteen days' notice of
12 the time and place of hearing in the same manner as pro-
13 vided by statute in respect to laying out highways. If after
14 a view of such way the commission shall judge that the
15 public necessity requires that such way be altered, widened,
16 changed or graded, or that a new way be laid out, estab-
17 lished and opened as a state or state aid highway, it shall
18 proceed to perform the duties required, and make a correct
19 return of its doings accompanied by an accurate plan of
20 such highway as laid out or altered; and shall proceed to
21 estimate and award such damages in the same manner as
22 provided by statute in respect to highways. The return of
23 the commission and all rights of appeal by parties aggrieved
24 by their proceedings shall be the same as provided by stat-
25 ute in respect to highways. Damages found as above pro-
26 vided shall be apportioned by the commission as law and
27 justice may require and shall be paid accordingly.

Sect. 15. By consent of all parties in interest any investi-
2 gation, inquiry or hearing which the commission is author-
3 ized to hold may be held by a single member of the com-
4 mission, and his finding, when approved by the commission
5 and so shown on its records shall be deemed to be the find-
6 ing of the commission.

Sect. 16. The provisions of section seven of chapter fifty-
2 five of the revised statutes and of chapter thirty-four of the
3 public laws of nineteen hundred and eleven relating to the
4 repair of streets dug into may be enforced by the commis-

5 sion wherever state or state aid highways are affected. No
6 town in which a state or state aid highway lies shall be re-
7 lieved from any obligations of statute relating to ways
8 blocked or encumbered with snow, anything to the contrary
9 elsewhere in this act notwithstanding.

Sect. 17. Municipal officers shall designate such practica-
2 ble systems of public ways within their jurisdiction as will
3 best serve outlying communities, connect adjoining towns
4 and villages, and facilitate travel in reaching markets, rail-
5 road connections and state roads; due consideration being
6 given to cost as well as distance and volume of travel. A
7 suitable description of each such way shall be thereupon
8 presented to the commission for its approval, and upon the
9 same being approved and accepted by the commission said
10 way shall be established and known as a state aid highway.
11 Twenty or more voters in any such town by written petition,
12 presented within thirty days after the description of such
13 way has been filed with the commission shall have the right
14 to be heard on the acceptance thereof; and the commission
15 may accept or reject any part or all of such way and impose
16 terms in respect thereto.

Sect. 18. State aid highways shall be continually main-
2 tained under the direction and control of the commission at
3 the joint expense of the state and town in which the same
4 are located; the charge against such town for maintenance
5 of its state aid highways shall not exceed fifty per centum
6 of the actual cost of such maintenance nor an average of

7 thirty dollars per mile per annum. The provisions of this
8 section shall apply only to those state aid highways con-
9 structed and improved by the state under this act, and to
10 such other portions of designated state aid highways, to the
11 improvement of which the state has heretofore contributed,
12 as the commission may hereafter indicate as taken over by
13 it, and the commission shall as rapidly as it deems advisable
14 so take over such highways for the purpose of maintenance
15 as herein provided.

Sect. 19. If any town desires state aid as provided by this
2 act, for the building or permanent improvement of one or
3 more of its state aid highways, such town may raise and
4 appropriate in addition to the amounts regularly raised and
5 appropriated for the care of ways, highways and bridges
6 the following amounts on account of which state aid shall
7 be paid:

Towns having a valuation of two hundred thousand dollars
9 or less may appropriate any amount not exceeding three
10 hundred dollars; towns having a valuation of over two
11 hundred thousand dollars and not over eight hundred thou-
12 sand dollars may appropriate any amount not exceeding five
13 hundred thirty-three dollars; towns having a valuation of
14 over eight hundred thousand dollars and not over one mil-
15 lion dollars may appropriate an amount not exceeding six
16 hundred dollars; and towns having a valuation of over one
17 million dollars and not over three million dollars may ap-
18 propriate in addition to the sum of six hundred dollars an

19 additional sum of sixty-six dollars for each two hundred
20 thousand dollars or fraction thereof valuation in excess of
21 one million; towns having a valuation of over three million
22 dollars and not over four million dollars may appropriate
23 not exceeding one thousand three hundred and thirty-three
24 dollars; and towns having a valuation of over four million
25 dollars may appropriate in addition to the sum of one thou-
26 sand three hundred and thirty-three dollars an additional
27 sum not exceeding one hundred and thirty-three dollars for
28 each additional one million dollars of additional valuation.

Sect. 20. On or before the thirty-first day of December in
2 the year 1913, and thereafter annually between the fifteenth
3 day of July and the fifteenth day of August in each year,
4 municipal officers shall prepare and file with the commission
5 suggestions for the improvement during the next calendar
6 year of state aid highways located in each town accom-
7 panied by plans so far as practicable, setting forth the loca-
8 tion of the highway and the nature of the improvement
9 desired. The commission shall examine and report thereon
10 with its recommendations to such municipal officers on or
11 before the twentieth day of February following. Such re-
12 port shall be submitted to the voters of such towns at the
13 next regular meeting of such town. The municipal officers
14 shall insert in the warrant for each annual town meeting
15 an article calling upon the voters to vote "yes" or "no"
16 on the question of the appropriation of money necessary to
17 entitle the town to state aid for state aid highways for that

18 year. If any such town then appropriates money for work
19 contemplated in such report, and for the purpose of secur-
20 ing state aid as provided in this act, the municipal officers
21 shall forthwith notify the commission of the amount so
22 appropriated. The commission shall thereupon finally ap-
23 prove, change or disapprove such action, in whole or in
24 part, as the appropriation and conditions require, and shall
25 notify the municipal officers of its action. This section shall
26 not prohibit towns from voting to do either more or less
27 highway improvement than that contemplated in such report
28 or from making any appropriation under the terms of this
29 act. Towns failing to comply with the provisions hereof
30 shall not be entitled to state aid for the year when such
31 state aid otherwise would be available under this section.

Sect. 21. The commission from the fund for state aid con-
2 struction provided by this act shall to each town which has
3 conformed to the provisions of sections nineteen and twenty
4 for each dollar so appropriated apportion the following
5 amounts: To each town having a valuation of two hundred
6 thousand dollars or less, two dollars for each dollar appro-
7 priated by said town; to each town having a valuation over
8 two hundred thousand dollars and not over one million dol-
9 lars, one dollar for each dollar appropriated by said town;
10 to each town having a valuation of over one million dollars
11 and not over one million two hundred thousand dollars,
12 ninety-two cents for each dollar appropriated by said town;
13 to each town having a valuation of over one million two

14 hundred thousand dollars and not over one million four
15 hundred thousand dollars, eighty-five cents for each dollar
16 appropriated by said town; to each town having a valuation
17 of over one million four hundred thousand dollars and not
18 over one million six hundred thousand dollars, eighty cents
19 for each dollar appropriated by said town; and to each town
20 having a valuation of over one million six hundred thousand
21 dollars, seventy-five cents for each dollar so appropriated
22 by said town. The money appropriated by towns applying
23 for state aid as hereinbefore provided with the amount ap-
24 portioned by the commission as hereinbefore provided shall
25 constitute a joint fund for the construction and permanent
26 improvement of the state aid highways in such towns.

Sect. 22. If any town shall in any single year prior to the
2 year 1920 increase its appropriation for state aid roads to
3 an amount not exceeding five times the maximum amount
4 which it may annually appropriate under section nineteen,
5 the commission may, from any balance of said fund for
6 state aid construction, after the appropriations contemplated
7 in section twenty-one, and subject to the provisions of sec-
8 tion twenty-four as to apportionment, appropriate a like
9 increase of state aid together with an additional sum equal
10 to twenty-five percentum of such increase of state aid; but
11 such appropriation shall not deprive the town of its right
12 to the regular annual state aid in other years; the appro-
13 priations contemplated by this section shall be united with
14 and become a part of the joint fund referred to in section
15 twenty-one.

Sect. 23. If any town desires that the whole or any portion of said joint fund shall be applied to the construction of a designated state highway within its boundaries, the same may be so applied at the discretion of the commission; but such portion of the state highway constructed in such manner shall still be subject to all the provisions of this act relating to state highways.

Section 24. If the commission finds that in any year the aggregate appropriations contemplated to be made by it under the provisions of section twenty-one exceed the amount available therefor in the said fund for state aid construction, the commission shall make a pro rata reduction of the several amounts appropriated by the towns so that the aggregate of the same shall be proportioned to the amount available from said fund as set forth in said section twenty-one, and thereupon the commission shall notify the municipal officers of each town thereby affected and the appropriation to be raised by such town shall be thereby accordingly reduced.

Sect. 25. Payments by towns of their shares of the joint fund herein provided shall be made forthwith to the state treasurer on requisition by the commission as the work progresses. If any town shall fail to pay its share as above provided, the amounts payable by such town to the state under this act shall be certified by the commission to the state auditor, who if he finds the amount correct shall certify it to the treasurer of state, and unless sooner paid it

9 shall be collected and paid in the same manner as any state
10 tax against such town or county, with interest at six per
11 centum per annum from the date of the auditor's certifi-
12 cation to the treasurer of state.

Sect. 26. The commission shall provide for a system of
2 patrol for all state highways to which section nine may apply
3 and for all state aid highways to which section eighteen may
4 apply so that all sections of such highways may be effect-
5 ually and economically preserved and maintained.

Sect. 27. The state shall be liable to towns and counties
2 for any judgment recovered in any action against such town
3 or county under the provisions of sections seventy-six,
4 seventy-seven, seventy-eight, seventy-nine and eighty of
5 chapter twenty-three of the revised statutes, but only when
6 pertaining to those state and state aid highways to the im-
7 provement of which the state has contributed; or to which
8 sections nine or eighteen may apply; provided however that
9 within twenty-four hours after any of the various officials
10 mentioned in said section seventy-six first has notice of such
11 defect or want of repair or sufficient railing such officials
12 shall give written notice thereof to some member of the
13 commission; provided also that within ten days after any of
14 the various officials mentioned in said section seventy-six
15 first has notice of any injury to any person such official shall
16 give written notice thereof to some member of the com-
17 mission; provided also that the state shall not be liable for
18 any injury sustained upon the sidewalk of any such state

19 or state aid highway or sustained during the construction
20 of such state or state aid highway within its limits; provided
21 also that the state shall not be liable for any injury under
22 this section in an amount exceeding four thousand dollars;
23 provided also that any sums recoverable under section
24 eighty-one of said chapter twenty-three shall be deducted
25 from the judgment against such town or county in deter-
26 mining the liability of the state under this section. The
27 commission may appear and take upon itself the defense of
28 any action affecting the liability of the state under this sec-
29 tion.

Sect. 28. The treasurer of state is hereby authorized under
2 the direction of the governor and council to issue from
3 time to time serial coupon bonds in the name and behalf
4 of the state not exceeding two million dollars in amount
5 outstanding at any one time, payable at the state treasury
6 within forty-one years from the date of issue at a rate of
7 interest not exceeding four per centum per annum, interest
8 payable semi-annually and signed by the treasurer of state,
9 countersigned by the governor and attested by the state
10 auditor with the seal of the state affixed. The coupons
11 attached to said bonds shall bear the facsimile of the signa-
12 ture of the treasurer of state instead of his original signa-
13 ture; and such bonds and coupons shall be of such form and
14 upon such terms and conditions not inconsistent herewith
15 as the governor and council shall direct. Said bonds and
16 the proceeds thereof shall be designated as the state high-

17 way loan and shall be deemed a pledge of the faith and
18 credit of the state.

Sect. 29. The state auditor shall keep an account of such
2 bonds showing the number and amount of each, the date
3 of countersigning, the date when payable, and the date of
4 delivery thereof to the treasurer of state, who shall keep
5 an account of each bond, showing the number thereof, the
6 name of the person to whom sold, the amount received for
7 the same, the date of sale, and the date when payable.

Sect. 30. The treasurer of state may negotiate the sale
2 of such bonds by direction of the governor and council,
3 but the amount of such bonds originally issued in any one
4 year shall not exceed the sum of five hundred thousand
5 dollars, and none of such bonds shall be sold for less than
6 its par value, nor shall any such bond be loaned, pledged,
7 or hypothecated in behalf of the state. The proceeds of
8 the sales of such bonds shall be held by the treasurer of
9 state and paid by him upon warrants drawn by governor
10 and council for the purposes of this act. The commission
11 with the approval of the governor and council shall divide
12 the expenditure of the money raised from the sales of such
13 bonds in such manner as will carry into effect the provisions
14 of this act and conform to the constitution of the state;
15 and so much thereof as may be necessary to carry out the
16 provisions of this act is hereby appropriated.

Sect. 31. All fees received by the secretary of state under
2 section twenty-one of chapter one hundred sixty-two of

3 the public laws of nineteen hundred and eleven shall be
4 delivered to the state treasurer each calendar month and
5 shall be appropriated and used in the following order, name-
6 ly: First, to pay interest due on all bonds issued under this
7 act; second, to create such fund to meet maturing bonds
8 as the governor and council may deem necessary; third, to
9 apply the balance to the fund for maintenance and adminis-
10 tration as hereinafter provided.

Sect. 32. To provide funds for the construction of state
2 aid highways there shall be appropriated for the year nine-
3 teen hundred and thirteen, the sum of two hundred and
4 fifty thousand dollars, and annually thereafter there shall
5 be appropriated the sum of three hundred thousand dol-
6 lars, to be known as the fund for state aid construction,
7 which fund shall be used exclusively for the construction
8 of state aid highways as herein provided, except that on the
9 thirty-first day of December in each year any balance of
10 said fund unexpended or not required by virtue of any
11 contract under this act shall be added to said fund for main-
12 tenance and administration.

Sect. 33. To provide funds for the administration of the
2 office and duties of the commission and for all expenditures,
3 salaries and expenses incident thereto as provided in this
4 act, and for the maintenance of all state and state aid high-
5 ways as herein provided, there shall be appropriated the
6 sum of fifty thousand dollars annually. This fund shall
7 be known as the maintenance and administration fund and

8 to it shall be added from time to time the amounts provided
9 for under sections ten, thirteen, thirty-one and thirty-two,
10 and any unexpended balance of this fund at the end of
11 any year shall be added to this fund for the next year.

Sect. 34. The commission shall make an annual report to
2 the governor and council of its doings and the expenditures
3 of its office, with such statement relative to the construction
4 and maintenance of public highways and such recommenda-
5 tions as to the general policy of the state relative thereto
6 as it considers appropriate, and an estimate of the amount
7 necessary to carry out the provisions of this act for one
8 year next following. The report shall be transmitted to
9 the secretary of state on or before the thirty-first day of
10 December in each year.

Sect. 35. All acts and parts of acts inconsistent herewith,
2 and chapter one hundred and twelve of the Laws of nine-
3 teen hundred and seven as amended by chapter sixty-nine
4 of the Laws of nineteen hundred and nine and as further
5 amended by chapters twenty-one and one hundred and
6 eighty-three of the Laws of nineteen hundred and eleven,
7 and chapter one hundred and eighty-nine of the Laws of
8 nineteen hundred and eleven, and sections ninety-nine to
9 one hundred and five both inclusive of chapter twenty-three
10 of the revised statutes, are hereby repealed.