

# MAINE STATE LEGISLATURE

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**EIGHTIETH LEGISLATURE**

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**HOUSE**

**NO. 309**

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House of Representatives, March 16, 1921.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Granville of Parsonsfield.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE**

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AN ACT to Increase the Mill Tax Highway Fund and to  
Provide for the Method of Its Application.

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

Section 1. A tax of one and one-half mills on a dollar  
2 shall be assessed in each year hereafter upon all property  
3 within the state, according to the valuation thereof, and  
4 the fund thereby created shall be used, in connection with  
5 other funds available for the same purposes, for the con-  
6 struction and maintenance of highways and bridges, in the  
7 manner hereinafter set forth.

Sect. 2. So much of said fund as may be required for  
2 the purpose, not exceeding one-ninth thereof, shall be an-

3 nually applied to meet obligations of the state under special  
4 resolves passed by the legislature for the construction, re-  
5 pair or maintenance of highways and bridges.

Sect. 3. So much of said fund as may be required for  
2 the purpose, not exceeding two-ninths thereof, shall be used  
3 annually under the provisions of this act, for the construc-  
4 tion and maintenance of second and third class highways  
5 as defined in section five of chapter twenty-five of the re-  
6 vised statutes, and, together with other funds provided for  
7 the construction of state aid highways, shall be known as  
8 the third class highways fund.

Sect. 4. The balance of the fund created under the pro-  
2 visions of section one of this act shall be annually available  
3 for the maintenance of state and state aid highways and  
4 bridges, in accordance with existing provisions of law. Pro-  
5 vided, however, that any unexpended balance left over in  
6 any year on this fund should be carried forward and added  
7 to any fund available for the same purpose the following  
8 year.

Sect. 5. The administration and expenditure of the third-  
2 class highways fund shall be under the general supervision  
3 of the state highway commission, and shall be apportioned  
4 and expended for the construction and maintenance only  
5 when towns which upon application for such state aid shall  
6 have appropriated, in addition to the appropriation for state  
7 aid work and appropriations under the so-called bridge act,  
8 an amount not less than the average by them appropriated  
9 for ways and bridges for the five years immediately pre-

10 ceding the year of such application, provided the five-year  
11 average be not less than four mills on the valuation of such  
12 town or towns. The third-class highways fund shall be  
13 distributed as follows: To towns whose tax rate is four  
14 mills and under five mills aid shall be appropriated at the  
15 rate of ten dollars for each mile of wrought highway in  
16 the town, and for each one mill increase above said four  
17 mills on the tax rates for highway purposes in any town,  
18 an increase of one dollar per mile of wrought highway  
19 shall be allowed to such town. Any balance remaining from  
20 this fund at the end of the year shall on December thirty-  
21 first annually be added to the equalization fund named in  
22 section five of said chapter two hundred fifty-eight of the  
23 public laws of nineteen hundred seventeen, and used for  
24 that purpose.

Sect. 6. Municipal officers of any town may, prior to Octo-  
2 ber one in any year, file with the state highway commission  
3 the description or location of the road whose construction  
4 and improvement they recommend under the provisions of  
5 this act. Upon approval of said location by the state high-  
6 way commission the municipal officers shall proceed with  
7 the construction of a section upon said location in con-  
8 formity with the provisions of the following section of this  
9 act. After acceptance by the state highway commission of  
10 a location as above, construction shall be continued on that  
11 location until the entire length of the road has been con-  
12 structed, or until the location is changed. Upon the com-  
13 pletion of any road located as above, municipal officers shall

14 file with the state highway commission recommendation for  
15 location upon another road. The work performed under this  
16 act shall be completed before the thirtieth day of Septem-  
17 ber annually and in no case shall any of the third-class high-  
18 ways fund be expended upon a section of a road where the  
19 buildings are nearer than two hundred feet apart for a dis-  
20 tance of one-fourth of a mile or more.

Sect. 7. Highways improved by the expenditure of funds  
2 received under this act shall be made to conform to the  
3 standard of construction as shall be agreed upon by the se-  
4 lectmen, or officials acting in the same capacity, in the re-  
5 spective towns where the provisions of this act applies, and  
6 such standard of construction must meet the approval of  
7 the state highway commission.

Sect. 8. The state highway commission shall co-operate  
2 with the municipal officers in the execution of improvement,  
3 work under this act. No money shall be paid by the state  
4 on account of work performed under this act until the work  
5 has been inspected and accepted by the state highway com-  
6 mission.

Sect. 9. Roads constructed under the provisions of this  
2 act must be suitably maintained by the town, under penalty  
3 of forfeiture of right of the town to receive the benefit of  
4 future apportionments under this act. A sum not to ex-  
5 ceed twenty-five per cent of any year's apportionment to a  
6 town under the provisions of this act may be used for main-  
7 tenance of road constructed under the provisions hereof.

Sect. 10. Section thirty-six of chapter twenty-five of the  
2 revised statutes as enacted and set forth in chapter two  
3 hundred and fifty-eight of the public laws of nineteen hun-  
4 dred and seventeen and as amended by chapter eighty-eight  
5 of the public laws of nineteen hundred and nineteen, chap-  
6 ter two hundred and twenty of the public laws of nineteen  
7 hundred and nineteen, and chapter two hundred and sixty-  
8 three of the public laws of nineteen hundred and nineteen,  
9 are hereby repealed.

Sect. 11. This act shall take effect only upon the adoption  
2 in September, nineteen hundred and twenty-one, of the pro-  
3 posed amendment to section seventeen of article nine of  
4 the constitution, permitting the use of the proceeds of state  
5 highway bonds for the construction of state aid highways;  
6 and in case of such adoption shall take effect on the date  
7 said constitutional amendment becomes effective.