

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 266

House of Representatives, March 6, 1923.

Referred to Committee on Judiciary, and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Phillips of Orrington.

STATE OF MAINE

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

AN ACT to Provide for a Full Time State Highway Commission, Amending Chapter Twenty-five of the Revised Statutes Relative to State Highways.

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

Section 1. Section three of chapter twenty-five of the
2 revised statutes providing for the appointment of a state
3 highway commission is hereby amended so as to read as
4 follows:

'Sect. 3. The state highway commission shall consist of
2 three members appointed by the governor with the advice
3 and consent of the council, one to serve for two years, one
4 to serve for four years and one to serve for six years; and

5 thereafter, as the terms expire, each appointment shall be for
6 the term of six years. Vacancies occurring during a term
7 shall be filled for the unexpired term. One member of the
8 commission shall be designated by the governor as chair-
9 man. The commission shall adopt and have a seal, and
10 shall keep a record of its proceedings, which shall be open
11 to public inspection during business hours, and it may ap-
12 point a clerk to keep and certify records and papers.

The members of the commission shall give their full time
2 to the duties of their office. No member thereof shall have
3 any official or professional connection with, or hold any
4 stock or securities in any road-building or bridge-building
5 firm or corporation engaged in work within the State of
6 Maine, nor shall he supply to the state any labor or material
7 for construction, maintenance or repair work upon ways
8 and bridges in which the state is engaged, nor shall he
9 render any professional service for or against any person,
10 firm or corporation engaged in such work, nor shall he be
11 a member of any firm which shall render any such service.
12 No member of said commission shall serve on or under any
13 committee of any political party. Any wilful violation of
14 the provisions of this chapter by any commissioner shall
15 constitute sufficient cause for his removal by the governor
16 with the advice and consent of the council.

The attorney general shall without additional compen-
2 sation give the commission such advice and service as
3 its attorney as it may from time to time require.

The commission shall be furnished with suitable offices at
2 the seat of government, and shall perform all the duties and
3 may exercise all the powers expressly or impliedly given by
4 this chapter and by the act entitled "An Act in Relation to
5 Motor Vehicles and the Law of the Road." They shall
6 make an annual report to the governor and council of their
7 doings and the expenditures of their office, with such state-
8 ment relative to the construction and maintenance of public
9 highways and such recommendations as to the general
10 policy of the state relative thereto as they consider ap-
11 propriate. The report shall be transmitted to the secretary
12 of state on or before the thirty-first day of December in
13 each year. The state highway commission when appointed
14 and qualified under this act, shall succeed to all the rights,
15 duties and powers of the present state highway commission,
16 and shall have full power to enforce all contracts made by
17 it at law and in equity.'

Sect. 2. Said chapter twenty-five is hereby further
2 amended by adding to said chapter the following: 'No
3 special resolve calling for the appropriation of money for
4 the construction, repair or maintenance of a way or bridge,
5 except in case of an emergency as defined by the constitu-
6 tion, shall be presented to the legislature unless the work or
7 project therein proposed has been first submitted to and
8 examined by the state highway commission and its report
9 setting forth the character of the work therein required, the
10 engineering features thereof and an estimate of the cost,

11 together with any other recommendations of the commis-
12 sion, shall accompany such resolve.'

Sect. 3. Section thirty-four of chapter one hundred and
2 seventeen of the revised statutes is hereby amended so as
3 to read as follows: 'The annual salary of each member of
4 the state highway commission shall be, for the chairman
5 seven thousand dollars; for each other member six thousand
6 five hundred dollars. They shall also receive their actual
7 expenses incurred in the performance of their official
8 duties.'