

# MAINE STATE LEGISLATURE

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# EIGHTY-THIRD LEGISLATURE

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**House Document**

**No. 321**

H. P. 1012

House of Representatives, March 4, 1927.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Merrill of Dover-Foxcroft.

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## STATE OF MAINE

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

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AN ACT to Amend Chapter Three Hundred and Nineteen of the Public Laws of Nineteen Hundred and Fifteen, as Amended by Chapter Three Hundred and Four of the Public Laws of Nineteen Hundred and Seventeen, and by Chapters One Hundred and Forty, One Hundred and Sixty-two and Two Hundred and Forty-three of the Public Laws of Nineteen Hundred and Nineteen, and by Chapters Fifty and One Hundred and Forty-three of the Public Laws of Nineteen Hundred and Twenty-one, and by Chapter One Hundred and Ninety-three of the Public Laws of Nineteen Hundred and Twenty-three, Providing for State and County Aid in the Construction of Highway Bridges.

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

Section 1. Section one of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, as amended by section one of chapter three hundred and four of the public laws of nineteen hundred and seventeen, by chapter one hundred and forty of the public laws of nineteen hundred and nineteen and by section one of chapter one hundred and ninety-three of the public laws of nineteen hundred and twenty-three is hereby further amended by adding the words 'or deem that any bridge owned and maintained wholly by said county on any main thoroughfare in any town or organized plantation must be rebuilt,' after the word "rebuilt" in the third line of the third paragraph of said section, so that said section as amended, shall read as follows:

'Section 1. When the municipal officers of any town or city deem that any bridge on any main thoroughfare must be built or rebuilt they may petition the commissioners of the county in which said bridge is, or may be built or rebuilt, and the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge. The petition shall be sent to the state highway commission and upon its receipt said commission shall transmit a copy thereof to the county commissioners referred to above. The state highway commission shall make such surveys and investigations as it may

13 deem important and necessary for the preparation of sur-  
14 vey plans and estimates of cost of construction.

‘The municipal officers of the town or city together with  
2 the county commissioners and the state highway commis-  
3 sion shall constitute a joint board to determine whether or  
4 not the bridge is or may be built on a main thoroughfare;  
5 whether or not public convenience and necessity require the  
6 building or rebuilding of said bridge and to determine the  
7 type of construction and general dimensions; furthermore,  
8 this board shall determine the estimated cost of construc-  
9 tion. Said board shall keep or cause to be kept a written  
10 record of its doings, including its findings as to preliminary  
11 facts necessary to its organization and jurisdiction. The  
12 decision of said board, or a majority thereof, upon any  
13 matter within its jurisdiction shall be final and conclusive,  
14 and the record of its findings upon all preliminary matters  
15 shall be prima facie evidence of the truth thereof. The  
16 state highway commission shall appoint the time and place  
17 for the meeting of said board and give such notice thereof  
18 as it shall deem reasonable and proper.

‘When the county commissioners of any county deem that  
2 any bridge on any main thoroughfare in any unorganized  
3 township in said county must be built or rebuilt or deem  
4 that any bridge owned and maintained wholly by said coun-  
5 ty on any main thoroughfare in any town or organized plan-  
6 tation must be rebuilt, they may petition the state highway  
7 commission for the purpose of forming a joint board com-

posed of said county commissioners and the state highway  
commission. This joint board shall possess all the powers  
and prerogatives of joint boards constituted as described  
in the second paragraph of this section. The state highway  
commission shall make such surveys and investigations as  
it may deem important and necessary for the preparation  
of survey plans and estimates of cost of construction, and  
shall appoint the time and place for the meeting of said  
board, and give such notice thereof as it shall deem reason-  
able and proper.

‘When the state highway commission shall deem that any  
bridge on any state or state aid highway must be built or  
rebuilt it may notify the municipal officers of the town or  
city, or the county commissioners having jurisdiction of the  
roads in any unorganized township in which said bridge is  
located or may be built, and the county commissioners of  
the county in which said bridge is located or may be built  
or rebuilt, to meet with it for the purpose of forming a  
joint board possessing the same powers and prerogatives as  
a joint board formed in response to a petition emanating  
from the municipal officers of a town or city. The state  
highway commission shall make such surveys and investi-  
gations as it may deem important and necessary for the  
preparation of survey plans and estimates of cost. On each  
question arising in all meetings of joint boards each com-  
ponent body shall have one vote, and its vote shall be re-  
corded in the records of the meetings.’

Sect. 2. Section two of chapter three hundred and nine-  
2 teen of the public laws of nineteen hundred and fifteen, as  
3 amended by section two of chapter three hundred and four  
4 of the public laws of nineteen hundred and seventeen, by  
5 section one of chapter two hundred and forty-three of the  
6 public laws of nineteen hundred and nineteen, and by sec-  
7 tion two of chapter one hundred and ninety-three of the  
8 public laws of nineteen hundred and twenty-three, is here-  
9 by further amended by striking out all of said section and  
10 substituting therefor the following section, so that said  
11 section as amended, shall read as follows:

‘Sect. 2. The cost of construction of a bridge built or  
2 rebuilt under the provisions of this act shall be divided as  
3 follows: When the cost of said construction makes a tax  
4 rate of five mills or less on the valuation of the town last  
5 made by the board of state assessors, forty-five per cent  
6 by the town, thirty per cent by the county in which said  
7 town is located and twenty-five per cent by the state; when  
8 the tax rate determined as above is ten mills the cost shall  
9 be borne as follows: forty per cent by the town, thirty per  
10 cent by the county and thirty per cent by the state; when  
11 the tax rate determined as above is fifteen mills the cost  
12 shall be borne as follows: thirty-five per cent by the town,  
13 thirty per cent by the county, and thirty-five per cent by  
14 the state; when the tax rate determined as above is twenty  
15 mills the cost shall be borne as follows: thirty per cent by  
16 the town, thirty per cent by the county and forty per cent

17 by the state; when the tax rate determined as above is thirty  
18 mills the cost shall be borne as follows: twenty-five per cent  
19 by the town, thirty per cent by the county and forty-five  
20 per cent by the state; when the tax rate determined as above  
21 is forty mills the cost shall be borne as follows: twenty per  
22 cent by the town, thirty per cent by the county and fifty  
23 per cent by the state; when the tax rate determined as above  
24 is sixty mills the cost shall be borne as follows: fifteen per  
25 cent by the town, thirty per cent by the county and fifty-  
26 five per cent by the state; when the tax rate determined as  
27 above is eighty mills the cost shall be borne as follows:  
28 twelve per cent by the town, thirty per cent by the county  
29 and fifty-eight per cent by the state; when the tax rate de-  
30 termined as above is one hundred mills the cost shall be  
31 borne as follows: ten per cent by the town, thirty per cent  
32 by the county and sixty per cent by the state. For inter-  
33 mediate tax rates the percentage of cost to be borne by the  
34 town and state shall be proportional, computed to the near-  
35 est tenth of one per cent. When the tax rate determined  
36 as above is over one hundred mills the town shall pay a  
37 fixed sum, equivalent to one per cent of its state valuation,  
38 the county thirty per cent of the cost of construction, and  
39 the state the balance. The cost of reconstruction of a  
40 bridge owned and maintained wholly by the county, but lo-  
41 cated in a town or organized plantation, shall be borne as  
42 follows: fifty per cent by the county and fifty per cent by  
43 the state. The division of cost herein provided shall apply

44 to all bridges, the construction of which under the pro-  
45 visions of this act is begun after January fifteenth, nine-  
46 teen hundred and twenty-seven.

‘In the event of two or more bridges being built or rebuilt  
2 simultaneously or practically so, in the same town, then the  
3 total cost of the construction of these bridges shall be made  
4 the basis for computing the tax rate used in determining  
5 the apportionments of cost to be borne by the state and the  
6 town. The cost of construction shall include the complete  
7 cost of the bridge proper, and such embankments, surfacing  
8 and other work as is necessary to provide proper, adequate,  
9 and safe approaches to the bridge; the maintenance of traf-  
10 fic by temporary detours and structures whenever existing  
11 highways cannot satisfactorily be used for such service;  
12 and such charges for engineering, advertising and inspection  
13 as may be incurred in the preliminary and actual construc-  
14 tion phases of the work.

‘Unless otherwise expressed or implied, wherever the word  
2 “town” occurs in this act, it shall be construed as including  
3 towns, cities and plantations, as provided in section six of  
4 chapter one of the revised statutes.’