

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 392

H. P. 1445

In Senate, March 27, 1929.

The President laid before the Senate and on motion by Senator Leland of Piscataquis Senate Amendment "A" adopted. Passed to be engrossed as amended by Senate Amendment "A" in non-concurrence. Sent down for concurrence and 500 copies of bill as amended ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Mr. Kitchen of Presque Isle.

STATE OF MAINE

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

AN ACT to Revise, Arrange and Simplify the "Mill Tax
Highway Fund" Laws.

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

All public laws relating to "Mill Tax Highway Fund" are
2 hereby amended by repealing the same and substituting
3 therefor the following:

'Section 1. A tax of one mill on a dollar shall annually
2 be assessed on all property of the state according to the

3 value thereof and shall be known as the mill tax highway
4 fund. This fund shall be used for the construction of third
5 class highways as defined in section five of chapter twenty-
6 five of the revised statutes, except that not more than one
7 hundred and fifty thousand dollars of the fund shall an-
8 nually be used for the construction of highways and bridges
9 and other purposes contemplated by said chapter twenty-
10 five and in accordance with the terms of any appropriate
11 resolves of the legislature, and further, except that two
12 hundred thousand dollars of said fund shall be transferred
13 and used in the fund for second class or state aid highways.

Sect. 2. The administration and expenditure of the third
2 class highway fund shall be under the general supervision
3 of the state highway commission and shall be apportioned
4 among the various towns according to the number of miles
5 of third class roads maintained therein, as determined by
6 the highway commission, provided that such towns shall
7 have appropriated in addition to the appropriation for state
8 aid work and appropriation under the so-called bridge act,
9 an amount not less than four mills on the valuation of
10 such town for roads and bridges, summer and winter. It
11 is further provided that such towns shall have prior to
12 November first in the year next preceding, cut and re-
13 moved all trees, shrubs, and useless fruit trees, bushes and
14 weeds, except shade trees, timber trees, cared-for fruit
15 trees, and ornamental shrubs, growing between the road
16 limit and the wrought part of any improved section of state

17 highway, state aid highway and third class road locations.

Sec. 3. Municipal officers of any town may file with the
2 state highway commission the description or location of the
3 road whose construction and improvement they recommend
4 under the provisions of this act. After acceptance by the
5 state highway commission of a location as above, construc-
6 tion shall proceed and continue on that location until the
7 entire length of the road has been constructed, or until the
8 location is changed. Upon the completion of any road lo-
9 cated as above, municipal officers shall file with the state
10 highway commission recommendation for location upon an-
11 other road. In case the municipal officers are unable to
12 agree upon the designation of a third class road, it shall
13 then be the right of the state highway commission to make
14 such designation and to proceed with the construction of
15 the road as provided in this act. The work performed
16 under this act shall conform to standards adopted by the
17 state highway commission taking into consideration the
18 width and type of construction suited to the conditions there
19 existing. Work shall be completed before the thirtieth day
20 of October annually.

Sect. 4. Roads constructed on third class highways under
2 the provisions of this act must be suitably maintained by the
3 several towns under penalty of forfeitures of the right of
4 the town to receive the benefit of future apportionments
5 under this act. In order for a town to be entitled to third
6 class apportionment, the town shall annually raise for main-

7 taining the improved sections on third class highways desig-
8 nated to receive third class apportionments in such town, a
9 sum not less than eight per cent of the total expenditures for
10 constructing these highways made during and after the year
11 nineteen hundred and twenty-seven. In case the town main-
12 tenance appropriation should be more than sufficient to sat-
13 isfactorily maintain said improved sections, the balance of
14 the fund may be used in connection with the state appor-
15 tionment for third class construction work. Expenditure
16 of the town maintenance appropriation shall be under the
17 direction and supervision of the state highway commission.
18 In case a town fails to provide funds for maintenance as
19 herein stated, a sum not to exceed fifty per cent of any
20 year's apportionment to a town may be expended by the
21 state highway commission for maintenance of improved
22 sections of third class highway therein and the balance of
23 the apportionment shall be reapportioned in the year fol-
24 lowing to the various towns entitled to third class aid.
25 Where third class apportionments have been expended on
26 state or state aid roads, such roads shall be maintained
27 in accordance with the provisions of sections eight, seven-
28 teen, twenty-six and twenty-seven of chapter twenty-five
29 of the revised statutes.

Sect. 5. The apportionment of the third class highway
2 fund herein created shall be made in accordance with the
3 returns which shall have been made by the several towns
4 desiring participation on or before April fifteenth of each

5 year, and no town whose selectmen or other officials au-
6 thorized by law have not made the return required by the
7 state highway commission on or before said April fifteenth
8 shall be entitled to any apportionment of said fund. The
9 state highway commission and municipal officers shall co-
10 operate in the construction and maintenance of work per-
11 formed under this act. Whenever work is done by the
12 municipal officers, no money shall be paid by the state until
13 such work has been inspected and accepted by the state
14 highway commission.