

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 407

S. P. 754

In Senate, March 29, 1929.

Introduced under suspension of rules without reference to a committee. Read once, under suspension of the rules, Monday next assigned. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Spear of Cumberland.

STATE OF MAINE

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

AN ACT to Provide for an Issue of State Highway and Bridge Bonds and for Authorizing Transfer of a Portion of the Tax on Internal Combustion Engine Fuel.

Emergency Preamble. Whereas, many of the municipalities of this state have appropriated money for the improvement of state roads for the year 1929, and have complied with the provisions of statute relating thereto and have applied for and requested and are entitled to aid, and

Whereas, it appears that such lawful requests and applications cannot be met by the state as provided by statute because of lack of such funds adequate for such purpose, and such lack

will result in a serious curtailment of highway improvement which is imperative, and which would otherwise be accomplished, and

Whereas, the only source of revenue to meet such requests and applications, otherwise than by excessive direct taxation, is by an immediate change in the allotment of the tax now levied on internal combustion engine fuel and by temporarily applying a portion thereof now used for state highway construction and reconstruction, to the improvement of state roads, and

Whereas, in order to obtain the necessary funds to carry on the construction of state highways and to equalize said internal combustion engine fuel tax funds which may be diverted to the improvement of state roads, it is likewise immediately necessary to reissue certain reissuable bonds of the state usable only for state highway and bridge construction under the provisions of the constitution, the proceeds of said bonds when reissued to be used solely for the construction of state highways, intra-state, interstate and international bridges, and

Whereas, legislation to fulfill the demands both for the improvement of said state roads and for said state highway and bridge construction is immediately necessary for the preservation of the public peace, health and safety, and constitutes an emergency within the meaning of the constitution,

Therefore,

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

Section 1. In addition to state highway and bridge bonds

2 heretofore issued in the name and behalf of the state and
3 under the provisions of chapter one hundred and thirty of
4 the public laws of nineteen hundred and thirteen and acts
5 amendatory thereof and additional thereto; under chapter
6 two hundred and fifty-one of the public laws of nineteen
7 hundred and nineteen; under chapter one hundred and
8 thirty-one of the public laws of nineteen hundred and twen-
9 ty-one and under chapter two hundred and three of the
10 public laws of nineteen hundred and twenty-five, the treas-
11 urer of state is hereby authorized, under the direction of
12 the governor and council, to issue from time to time serial
13 coupon bonds in the name and behalf of the state, the same
14 being a reissue of bonds heretofore authorized, issued and
15 retired and to be retired on or before September first, nine-
16 teen hundred and thirty, under the provisions of chapter
17 one hundred and thirty of the public laws of nineteen hun-
18 dred and thirteen; under chapter two hundred and fifty-
19 one of the public laws of nineteen hundred and nineteen,
20 and under chapter one hundred and thirty-one of the pub-
21 lic laws of nineteen hundred and twenty-one, said bonds
22 to be in the name and behalf of the state to an amount not
23 exceeding one million seven hundred and seventy-five thou-
24 sand dollars, payable at the state treasury within seventeen
25 years from date of issue, at a rate of interest not exceed-
26 ing five per cent per annum, interest payable semi-annually,
27 and signed by the treasurer of state, countersigned by the
28 governor and attested by the state auditor, with the seal of

29 the state affixed. The coupons attached to said bonds shall
30 bear the facsimile of the signature of the treasurer of state
31 instead of his original signature; and such bonds and cou-
32 pons shall be of such denominations and form and upon
33 such terms and conditions not inconsistent herewith as the
34 governor and council shall direct. Said bonds together with
35 the proceeds thereof, shall be designated as a part of the
36 state highway and bridge loan, and shall be deemed a pledge
37 of the faith and credit of the state.

Sect. 2. 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. 3. The treasurer of state may negotiate the sale of
2 such bonds by direction of the governor and council, but
3 no such bond shall be loaned, pledged or hypothecated in
4 behalf of the state. An amount equivalent to the proceeds
5 of the sales of such bonds is hereby appropriated to be
6 used solely for the building of state highways. The pro-
7 ceeds of said bonds may be expended at any time after this
8 act becomes effective, but any balance unexpended shall
9 not lapse, but shall be carried forward to the same account
10 to be used only for the construction of state highways and
11 bridges as provided by law.

Sect. 4. The governor and council are hereby authorized
2 and directed to order transfers from the receipts from the
3 tax on internal combustion engine fuel, state highway con-
4 struction and reconstruction account, such sums not exceed-
5 ing one million dollars in any year not beyond the fiscal
6 year ending June thirtieth, nineteen hundred and thirty-one,
7 as may be necessary to comply with the requisitions made
8 by law upon the state highway commission by cities and
9 towns for improvement of state roads and the state auditor
10 is hereby authorized to make transfers accordingly. This
11 section shall be operative only until other provisions of
12 statute shall become effective to provide sufficient funds to
13 meet the requisitions of municipalities for said improve-
14 ment of state roads.

Sect. 5. In view of the emergency set forth in the above
2 preamble this act shall take effect when approved.