

# MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

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Legislative Document

No. 599

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S. P. 455

In Senate, Feb. 17, 1931.

Referred to Committee on Ways and Bridges and 1,000 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Leland of Piscataquis.

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STATE OF MAINE

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

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AN ACT Relating to the Construction and Maintenance of  
State, State Aid and Third Class Highways.

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

Section eight, nine, ten, seventeen to thirty-eight inclusive, and forty-one to forty-seven inclusive, of chapter twenty-eight revised statutes of nineteen hundred and thirty are hereby amended by repealing the same and substituting therefor the following:

‘Section 1. Laying out state and state aid highways. The commission shall lay out, construct and maintain a system of state and state aid highways substantially as herein described, and the expense of constructing such highways shall be borne wholly by the state, except as otherwise provided, and subject to apportionment of any damages as provided by section twelve, chapter twenty-eight, revised statutes of nineteen hundred and thirty.

‘The commission shall be sole arbiter of the designation of the state and state aid highways, but shall, as to state highways, after reasonable notice by publication, give all parties interested an opportunity to be heard thereon before commencing construction. Except as provided from state aid funds the construction of state highways shall be paid for from funds appropriated for that purpose and from the pro-

ceeds of the state bond issues, and the proceeds of the aggregate of such bonds shall be expended according to the needs of the various counties.

'The commission shall as to state aid highways notify the municipal officers of the town and the county commissioners of the county in which such highway is located of any change desired which will in any way affect the present state aid system, and the highway commission, county commissioners and municipal officers shall constitute a joint board for the consideration of additional state aid mileage within their jurisdiction, bearing in mind public ways as will best serve outlying communities, connect adjoining towns and villages and facilitate travel in reaching markets, railroad connections and state highways, due consideration being given to cost as well as to distance and volume of travel, to mail routes and to the value of the land compared with cost of constructing and maintaining state aid highways.

'Sec. 2. Apportionment of state aid funds. The commission shall annually, for the purpose of state aid construction, apportion to each town (having a state aid highway designation) under one million dollars in valuation, a sum of six thousand dollars, to each town having a valuation of one million dollars or over and not exceeding five million dollars an increase of one thousand dollars for each additional million dollars or fraction thereof of additional valuation, and to each town having a valuation of five million dollars or over an increase of five hundred dollars for each additional million dollars or fraction thereof of additional valuation.

'Sec. 3. Expenditure of state aid funds. State aid funds shall be expended for the construction and reconstruction of state and state aid highways. Unless otherwise agreed upon by the municipal officers of a town and the county commissioners of a county in which the town is located and approved by the state highway commission, the funds shall be expended in building in a continuous direction, and the road on which the yearly funds are being expended to be completely built before commencing on a new location. Whenever in the opinion of the municipal officers, county commissioners and highway commission, the funds apportioned to any town may better be expended to advantage in some other town, the commission shall transfer such apportionment in whole or in

part and expend the funds in the town and on the location recommended by the joint board of municipal officers, county commissioners and highway commission.

'Sec. 4. Maintenance of state and state aid highways. State and state aid highways shall be continually maintained under the direction and control of the commission and the commission shall as they deem necessary provide for a system of patrol so that all such highways may be effectually and economically preserved and maintained.

'Sec. 5. Towns to pay annually for maintenance. The commission shall annually on or before December first of each year notify the county commissioners of each county having jurisdiction over unorganized towns, and on or before February first of each year notify the municipal officers of each town of the amount necessary to raise for the purpose of maintaining state and state aid highways during the coming fiscal year in such municipality.

'The municipal officers of each town shall annually insert in the town warrant, an article for raising such maintenance fund, and the town shall raise and pay into the state treasury, on requisition made by the state highway commission, prior to September first of each year, for each mile of state and state aid highway maintained by the state within the bounds of such municipality, a sum based on the ratio which the total town road mileage, necessary to maintain for public travel, bears to the valuation of the town.

'For all towns where the valuation is four thousand dollars or less per mile of road in such town, as determined by the state highway commission, the amount to be raised by such town for the purpose of maintaining designated state and state aid highways shall be eighty dollars per mile; for each increase of one thousand dollars or fraction thereof, in valuation per mile of road, the town's share for maintaining such state and state aid highway shall be increased ten dollars per mile, except that in no case shall the town's share be more than two hundred dollars for each mile of state highway and state aid highway so maintained under the provisions of this act.

'Sec. 6. Maintenance of third class or town ways constructed from state funds. In all cases where state funds have been expended on third class or town ways not included in the state or state aid highway system, the cost of maintaining such

ways shall be borne by the town. If, in the opinion of the municipal officers of said town and the county commissioners of the county in which said town is located, and the state highway commission sitting as a joint board, any such way is of sufficient importance to eventually be included in the state aid system, then such town shall at its annual meeting raise a maintenance fund of not less than one hundred and fifty (\$150.00) dollars per mile, for such ways on which state funds have been expended. The expenditure of such funds shall be under the direction and control of the state highway commission.

'Sec. 7. Failure of town to pay maintenance requisition. If any town shall fail to pay the amounts by it payable to the state under the preceding sections, the state auditor shall certify the correct amount to the treasurer of state, and unless paid before December first of the year in which said amount is payable, it shall be collected and paid in the same manner as any state tax against such town with interest at six per cent per annum from the date of the auditor's certification to the treasurer of state. Any amount so collected shall be credited to the general highway fund.

'Sec. 8. Highway commission to make yearly returns. The commission shall make return each year to the municipal officers of each town coming within the provision of this act for the construction and maintenance work performed in such town under the provisions hereof.'