

MAINE STATE LEGISLATURE

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EIGHTY - SIXTH LEGISLATURE

Legislative Document

No. 28

H. P. 39 House of Representatives, Jan. 12, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Friend of Skowhegan.

STATE OF MAINE

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

AN ACT Relating to Construction and Maintenance of High-
ways.

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

Section I. P. L. 1931, c. 251, amended. Chapter 251 of the public laws of 1931 is hereby amended by suspending its operation until June 30, 1935, and the following provisions are hereby substituted in place thereof for the above period of suspension:

‘Section I. To provide funds for the construction of state aid and third class highways, for the maintenance of state and state aid highways and interstate, intrastate and international bridges, and for other items of expenditure hereinafter specified, there is hereby established a fund to be known as the General Highway Fund. This fund shall include all fees received from the registration of motor vehicles and licensing of operators thereof, the receipts from the tax of one mill on the valuation of the state known as the Mill Tax Highway Fund, the receipts from the tax on gasoline and internal combustion motor fuels, all fines, forfeitures and costs accruing to the state under section one hundred eighteen of chapter twenty-nine of the revised statutes, and all sums received on account of the state highway commission for permits to open highways or from other sources the disposition of which is not otherwise designated by law.

Sec. 2. After the payment therefrom of such sums for interest and retirement as are necessary to meet the provisions of bond issues for state highway and bridge construction, the remainder of the General Highway Fund shall be segregated, apportioned and expended as follows:

(1) \$120,000 annually for the payment of the expense of registering motor vehicles and licensing the operators thereof.

(2) \$160,000 annually for the maintenance of the state highway police.

(3) \$140,000 annually for the administration of the office and carrying out the duties of the state highway commission.

(4) \$180,000 annually for the administration of the tax on gasoline and internal combustion motor fuels and for the payments of rebates provided by said tax.

(5) \$150,000 annually for defraying appropriations for highway and bridge construction by special legislative resolves.

(6) \$1,150,000 annually for the construction of state aid roads, including roads constructed under the three towns act, so-called; provided, however, that in the event that applications for state expenditure under this purpose exceed the available amount set up as above, allotments to the several towns shall be reduced in equal proportions on all classes of state aid highway.

(7) \$700,000 annually for the construction of third class roads.

(8) The remainder for the maintenance of state and state aid highways and interstate, intrastate and international bridges, including the state's share of the cost of snow removal.

Sec. 3. Such unexpended balances of the General Highway Fund as have been set up for general construction and maintenance of highways and bridges shall be deemed non-lapsing carrying accounts. All other unexpended balances shall lapse into the General Highway Fund at the end of each fiscal period. Transfers from one account of the General Highway Fund to another account shall be made only with the approval of the governor and council.

Sec. 4. All acts and parts of acts inconsistent with this act are hereby amended to conform to the provisions hereof.

Sec. II. R. S. c. 28, §§ 44, 46, amended. Sections 44 and 46 of chapter twenty-eight of the revised statutes are hereby

suspended until June 30, 1935 and the following provisions of law are hereby enacted to remain operative until that date:

Sec. 44. Administration, expenditure and supervision; removal of useless trees, bushes and weeds by towns. The expenditure of money appropriated for the construction of third class roads shall be under the general supervision of the commission and shall be apportioned among the various towns according to the number of miles of third class roads maintained therein, as determined by the commission, provided that such towns shall have appropriated in addition to the appropriation for state aid work and appropriation under the so-called bridge act, an amount not less than three mills on the valuation of such town for roads and bridges, summer and winter. It is further provided that such towns shall have prior to November first in the year next preceding, cut and removed all trees, shrubs, and useless fruit trees, bushes, and weeds, except shade trees, timber trees, cared-for fruit trees, and ornamental shrubs, growing between the road limit and the wrought part of any improved section of state highway, state aid highway, and third class road locations.

Sec. 46. Maintenance of third class highways. Roads constructed on third class highways under the provisions of sections forty-three to forty-seven must be suitably maintained by the several towns under penalty of forfeitures of the right of the town to receive the benefit of future apportionments under said sections. In order for a town to be entitled to third class apportionment, the town shall annually raise for maintaining the improved sections on third class highways designated to receive third class apportionments in such town, a sum not less than four per cent of the total expenditures for constructing these highways made during and after the year nineteen hundred and twenty-seven. In case the town maintenance appropriation should be more than sufficient to satisfactorily maintain said improved sections, the balance of the fund may be used in connection with the state apportionment for third class construction work. Expenditure of the town maintenance appropriation shall be under the direction and supervision of the state highway commission. In case a town fails to provide funds for maintenance as herein stated, a sum not to exceed fifty per cent of any year's apportionment to a town may be

expended by the state highway commission for maintenance of improved sections of third class highway therein and the balance of the apportionment shall be reapportioned in the year following to the various towns entitled to third class aid. Where third class apportionments have been expended on state or state aid roads, such roads shall be maintained in accordance with the provisions of sections nine, eighteen, twenty-seven and twenty-eight.'