

# MAINE STATE LEGISLATURE

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(Transmitted from the Revisor of Statutes under Joint Order)

S. P. 453

In Senate, February 14, 1941.

Referred to Committee on Ways and Bridges and 650 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Stilphen of Lincoln.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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AN ACT Relating to Maintenance of Third Class Roads.

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

**Sec. 1. R. S., c. 28, § 46, amended.** Section 46 of chapter 28 of the revised statutes, as amended, is hereby further amended to read as follows:

**‘Sec. 46. Maintenance of 3rd class highways; towns shall raise not less than 2%.** Roads constructed on 3rd class highways under the provisions of sections 44 to 47 shall be suitably maintained by the several towns under penalty of forfeiture 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 3rd class apportionment, the town shall annually raise for maintaining the improved sections on 3rd class highways designated to receive 3rd class apportionments in such town, a sum not less than ~~3%~~ 2% of the total expenditures for constructing these highways made during and after the year 1927. 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 3rd class construction work. Expenditures 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 50% of any year's apportionment to a town may be expended by the state highway commission for maintenance of improved sections of 3rd class highway therein, and the balance of the apportionment shall be reapportioned in the year following to the various towns entitled to 3rd class aid. Where 3rd class apportionments have been expended on state or state aid roads, such roads shall be maintained in accordance with the provisions of sections 9, 18, 27 and 28.'

**Sec. 2. R. S., c. 28, § 49, amended.** Section 49 of chapter 28 of the revised statutes, as amended, is hereby further amended to read as follows:

**'Sec. 49. Maintenance of 3rd class highways built from special appropriations; town shall raise not less than 2%.** In all cases where towns receive special legislative appropriations to be expended on designated 3rd class highways, said highways shall be constructed in accordance with specifications for 3rd class roads and shall be maintained by the several towns by an annual expenditure of a sum equal to not less than ~~3%~~ 2% of the amount of said appropriation, under penalty of forfeiture of the right of the town to receive the benefit of future apportionments from funds for 3rd class highways.'