

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 740

H. P. 1105

House of Representatives, February 12, 1947.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Patterson of Freeport by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Town Road Improvement Fund.

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

Sec. 1. R. S., c. 20, § 42-A, amended. Section 42-A of chapter 20 of the revised statutes, as enacted by section 1 of chapter 371 of the public laws of 1945, is hereby amended to read as follows:

'Sec. 42-A. Town road improvement fund. There is hereby established a special fund to be known as the "town road improvement fund". The legislature shall appropriate **not less than \$400,000** for each fiscal year ~~such amounts as it shall deem proper from the general highway fund, but not to exceed 10% of the average annual gross income from the gasoline tax and registration fees for motor vehicles, the average to be that of the preceding 5 year period from the general highway fund.~~

Sec. 2. R. S., c. 20, § 42-C, amended. Section 42-C of chapter 20 of the revised statutes, as enacted by section 1 of chapter 371 of the public laws of 1945, is hereby amended to read as follows:

'Sec. 42-C. Purpose of expenditures. The expenditures of this fund shall be for drainage, machine grading and graveling, and ~~when in the judgment of the state highway commission such roads may be suited~~

~~for stabilizing either with tar or other stabilizing material, money from this fund may be so allocated, but shall not exceed the sum of \$3,000 in on any 1 mile of road during a 10-year period. The various towns shall furnish all local road material, including rocks, sand, gravel, etc. and shall assume and pay any cost or damages arising from any change in location, grade or drainage.~~

Sec. 3. R. S., c. 20, § 42-D, amended. Section 42-D of chapter 20 of the revised statutes, as enacted by section 1 of chapter 371 of the public laws of 1945, is hereby amended to read as follows :

'Sec. 42-D. Limitation. No money from this fund shall be expended on the improved sections of any road which is a part of the federal aid, state, state aid, ~~or~~ third class or ~~resolve~~ roads, as it is intended to apply only to the unimproved roads of the state; nor shall any of this fund be used in conjunction with federal or state funds for the purpose of building roads. Any balance unexpended by the towns at the end of any fiscal year shall remain to their credit for use in any other fiscal year to carry out the purposes of sections 42-A to ~~42-E~~ 42-F, inclusive.

Sec. 4. R. S., c. 20, § 42-E, repealed and replaced. Section 42-E of chapter 20 of the revised statutes, as enacted by section 1 of chapter 371 of the public laws of 1945, is hereby repealed and the following enacted in place thereof :

'Sec. 42-E. Purpose. It shall be the intent and purpose of sections 42-A to 42-F, inclusive, to assist the towns in making it possible for all citizens living on public highways in Maine to be able to use these highways 12 months each year, by setting up a fund, and using the same method of distribution to the towns that was used from 1937 to 1945 in connection with the "Unimproved Road Fund."

Sec. 5. R. S., c. 20, § 42-F, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto a new section to be numbered 42-F, to read as follows :

'Sec. 42-F. Definition. As a basis for allocation and expenditure of funds set up under the preceding sections, the terms "unimproved roads" shall mean all highways, streets and ways in each city and town which become impassable by car during some season of the year because of conditions other than snow, except the following :

- I. Highways, streets and ways that have not been accepted by city or town;

II. Roads which have been virtually abandoned and are not being maintained even though they may not have been legally discontinued;

III. All improved sections of federal, state, state aid, 3rd class or resolve highway.'