

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

AT THE

SPECIAL SESSION

November 4-8, 1919

Supplementary to the Acts and Resolves of the Regular Session.

Published by the Secretary of State, in accordance with the Resolves of the
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

AT THE

Special Session, November 4-8

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Supplementary to Public Laws of the Regular Session

[supplied from page 3 of volume]

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Chapter 262.

An Act to Increase the Amount of Money Allowed for Clerk Hire in the Office of the Registry of Deeds for Penobscot County.

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

R. S., c. 117, § 45; 1919, c. 214, ¶ 11; relating to clerk hire in Penobscot county offices, amended. Paragraph eleven of section forty-five of chapter two hundred and fourteen of the laws of Maine for nineteen hundred and nineteen is amended by striking out in the first and second lines thereof the words "two thousand and eighty dollars" and substituting therefor the words 'two thousand eight hundred and eighty dollars' so that said section as amended shall read as follows:

'Penobscot county: clerk hire increased in office of register of deeds. Penobscot county; for clerks in the office of register of deeds, two thousand eight hundred and eighty dollars; for clerks in the office of register of probate, fifteen hundred dollars; for clerks in the office of the clerk of courts, fifteen hundred dollars; for clerks in the office of county attorney, six hundred dollars.'

Approved November 8, 1919.

Chapter 263.

An Act to Amend Chapter Two Hundred and Twenty of the Public Laws of Nineteen Hundred and Nineteen, Entitled, "An Act to Amend Section Thirty-six of Chapter Twenty-five of the Revised Statutes, as Enacted and Set Forth in Chapter Two Hundred and Fifty-eight of the Public Laws of Nineteen Hundred and Seventeen, as Amended by Chapter Eighty-eight of the Public Laws of Nineteen Hundred and Nineteen, Relative to the Creation and Expenditure of the Mill Tax Highway Fund."

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

Sec. 1. 1917, c. 258, § 8; 1919, c. 88 and 220; relating to the creation and expenditure of the Mill Tax Highway Fund, amended. Chapter two hundred twenty of the public laws of nineteen hundred and nineteen, entitled "An Act to Amend Section Thirty-six of the Chapter Twenty-five of the Revised Statutes, as Enacted and Set Forth in Chapter Two Hundred and Fifty-eight of the Public Laws of Nineteen Hundred and Seventeen, as Amended by Chapter Eighty-eight of the Public Laws of Nineteen Hundred and Nineteen, Relative to the Creation and Expenditure of the Mill Tax Highway Fund", is hereby amended by inserting between the word, "construction", and the word, "of", in the fourth line of said act, the words, 'or maintenance or both.'

Said chapter two hundred and twenty of the public laws of nineteen hundred and nineteen is further amended by inserting between the word, "legislature", and the word, "Two", in the eighth line of said act, the following sections:

Sec. 2. One-third of the mill tax highway fund shall annually be applied under the provisions of this act in the construction and maintenance of second and third-class highways as defined in section five of chapter twenty-five of the revised statutes in addition to other funds provided for the construction of state aid highways and shall be known as the third-class highways fund.

Sec. 3. The administration and expenditure of the third-class highways fund shall be under the general supervision of the state highway commission, and shall be apportioned and expended for the construction and maintenance only when towns which upon application for such state aid shall have appropriated, in addition to the appropriation for state aid work and appropriations under the so-called bridge act, an amount not less than the average by them appropriated for ways and bridges for the five years immediately preceding the year of such application, provided the five-year average be not less than four mills on the valuation of such town or towns. The third-class highways fund shall be distributed as follows: To towns whose tax rate is four mills and under five mills aid shall be appropriated at the rate of ten dollars for each mile of wrought highway in the town, and for each one mill increase above said four mills on the tax rates for highway purposes in any town, an increase of one dollar per mile of wrought highway shall be allowed to such town. Any balance remaining from this fund at the end of the year shall on December thirty-first annually be added to the equalization fund named in section five of said chapter two hundred fifty-eight of the public laws of nineteen hundred seventeen, and used for that purpose.

Sec. 4. Municipal officers of any town may, prior to October one in any year, file with the state highway commission the description or location of the road whose construction and improvement they recommend under the provisions of this act. Upon approval of said location by the state highway commission, the municipal officers shall proceed with the construction of a section upon said location in conformity with the provisions of the following section of this act. After acceptance by the state highway commission of a location as above, construction shall be continued on that location until the entire length of the road has been constructed, or until the location is changed. Upon the completion of any road located as above, municipal officers shall file with the state highway commission recommendation for location upon another road. The work performed under this act shall be completed before the thirtieth day of September annually and in no case shall any of the third-class highways fund be expended upon a section of a road where the buildings are nearer than two hundred feet apart for a distance of one-fourth of a mile or more.

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Sec. 5. Highways improved by the expenditure of funds received under this act shall be made to conform to the standard of construction as shall be agreed upon by the selectmen, or officials acting in the same capacity, in the respective towns where the provisions of this act applies, and such standard of construction must meet the approval of the state highway commission.

Sec. 6. The state highway commission shall cooperate with the municipal officers in the execution of improvement work under this act. No money shall be paid by the state on account of work performed under this act until the work has been inspected and accepted by the state highway commission.

Sec. 7. Roads constructed under the provisions of this act must be suitably maintained by the town, under penalty of forfeiture of right of the town to receive the benefit of future apportionments under this act. A sum not to exceed twenty-five per cent. of any year's apportionment to a town under the provisions of this act may be used for maintenance of road constructed under the provisions hereof.'

Chapter two hundred and twenty of the public laws of nineteen hundred and nineteen is further amended by inserting between the word, "construction", and the word, "of", in the fourteenth line of said act, the words, 'or maintenance or both', so that said act as amended shall read as follows:

Sec. 1. Mill tax highway fund may be used for maintenance as well as construction. A tax of one mill on a dollar shall annually be assessed upon all property of the state according to the value thereof, and shall be known as the Mill Tax Highway Fund. This fund shall be used for the construction or maintenance or both of highways as defined in section five of chapter twenty-five of the revised statutes, except that not more than one-sixth of the fund shall annually be used for the construction of highways and bridges and other purposes contemplated by said chapter twenty-five and in accordance with the terms of any appropriate resolves of the legislature.

Sec. 2. One-third of fund to be known as "third-class highways fund" to be expended for maintenance and construction of second and third-class highways. One-third of the mill tax highway fund shall annually be applied under the provisions of this act in the construction and maintenance of second and third-class highways as defined in section five of chapter twenty-five of the revised statutes in addition to other funds provided for the construction of state aid highways, and shall be known as the third-class highways fund.

Sec. 3. Expenditure and administration of "third-class highways fund;" how distributed; balance unexpended to be added to equalization fund.

The administration and expenditure of the third-class highways fund shall be under the general supervision of the state highway commission, and shall be apportioned and expended for the construction and maintenance only when towns which upon application for such state aid shall have appropriated, in addition to the appropriation for state aid work and appropriations under the so-called bridge act, an amount not less than the average by them appropriated for ways and bridges for the five years immediately preceding the year of such application, provided the five-year average be not less than four mills on the valuation of such town or towns. The third-class highways funds shall be distributed as follows: To towns whose tax rate is four mills and under five mills aid shall be appropriated at the rate of ten dollars for each mile of wrought highway in the town, and for each one mill increase above said four mills on the tax rates for highway purposes in any town, an increase of one dollar per mile of wrought highway shall be allowed to such town. Any balance remaining from this fund at the end of the year shall on December thirty-first annually be added to the equalization fund named in section five of said chapter two hundred fifty-eight of the public laws of nineteen hundred seventeen, and used for that purpose.

Sec. 4. Municipal officers to file description of location with state highway commission prior to October 1st; construction to be continued until completed or location changed; work to be completed before September 1st; fund not to be used on roads where buildings average less than 200 feet apart for a distance of quarter of a mile. Municipal officers of any town may, prior to October one in any year, file with the state highway commission the description or location of the road whose construction and improvement they recommend under the provisions of this act. Upon approval of said location by the state highway commission, the municipal officers shall proceed with the construction of a section upon said location in conformity with the provisions of the following section of this act. After acceptance by the state highway commission of a location as above, construction shall be continued on that location until the entire length of the road has been constructed, or until the location is changed. Upon the completion of any road located as above, municipal officers shall file with the state highway commission recommendation for location upon another road. The work performed under this act shall be completed before the thirtieth day of September annually and in no case shall any of the third-class highways fund be expended upon a section of a road where the buildings are nearer than two hundred feet apart for a distance of one-fourth of a mile or more.

Sec. 5. Highways to conform to standard of construction as agreed upon and as approved by state highway commission. Highways improved

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by the expenditure of funds received under this act shall be made to conform to the standard of construction as shall be agreed upon by the selectmen, or officials acting in the same capacity, in the respective towns where the provisions of this act applies, and such standard of construction must meet the approval of the state highway commission.

Sec. 6. Highway commission to cooperate with municipal officers; no money to be paid by state until work has been inspected and accepted by highway commission. The state highway commission shall cooperate with the municipal officers in the execution of improvement work under this act. No money shall be paid by the state on account of work performed under this act until the work has been inspected and accepted by the state highway commission.

Sec. 7. Highways to be maintained by town; twenty-five per cent of apportionment may be used for maintenance. Roads constructed under the provisions of this act must be suitably maintained by the town, under penalty of forfeiture of right of the town to receive the benefit of future apportionments under this act. A sum not to exceed twenty-five per cent. of any year's apportionment to a town under the provisions of this act may be used for maintenance of road constructed under the provisions hereof.

Sec. 8. State aid highway fund and state highway fund. Two hundred thousand dollars of the amount herein named shall be added to the fund of three hundred thousand dollars for state aid construction as provided in section thirty-four, chapter twenty-five of the revised statutes, and shall be applied to the construction of state aid highways and shall be called state aid highway fund. The balance of said Mill Tax Highway Fund shall be used exclusively for the construction or maintenance or both, of state highways as provided in chapter twenty-five of the revised statutes and shall be called state highway fund; except so far as may be necessary to carry out the provisions of this section and meet the requirements of the national government in order for the state to receive federal aid for highway construction, the state highway fund shall be expended equitably among the several counties of the state by the state highway commission.'

Approved November 8, 1919.

Chapter 264.

An Act to Provide for the Payment of a Bonus to Maine Soldiers and Sailors in the War with Germany.

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

Sec. 1. Soldiers in war with Germany entitled to bonus of \$100. In order to promote the spirit of patriotism and loyalty, in testimony of the