

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

LEWISTON JOURNAL PRINTSHOP AND BINDERY
LEWISTON, MAINE

1921

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eightieth Legislature

1921

[supplied from page 3 of volume]

CHAP. 142

of ninety-five thousand dollars, of which sum as much thereof as may be necessary shall be appropriated by the paymaster general for the support of the naval militia. The appropriation thus provided shall constitute a continuous military fund, from which special fund only, except where herein otherwise specified, shall be paid the expenses authorized by this act; and so much thereof as may be necessary is hereby appropriated to carry out the provisions of this section; to be paid upon vouchers approved as provided in section ninety.'

Approved April 6, 1921

Chapter 142.

An Act to Increase the Mill Tax Highway Fund and to Provide for the Method of its Application.

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

Sec. 1. Special tax of one and a half mills for construction and maintenance of highways. A tax of one and one-half mills on a dollar shall be assessed in each year hereafter upon all property within the state, according to the valuation thereof, and the fund thereby created shall be used, in connection with other funds available for the same purposes, for the construction and maintenance of highways and bridges, in the manner hereinafter set forth.

Sec. 2. Amount, not exceeding one ninth, to be available for highways and bridges, in connection with special resolves. So much of said fund as may be required for the purpose, not exceeding one-ninth thereof, shall be annually applied to meet obligations of the state under special resolves passed by the legislature for the construction, repair or maintenance of highways and bridges.

Sec. 3. Amount not exceeding two mills, to be used for third class highways; third class highway fund created. So much of said fund as may be required for the purpose, not exceeding two-ninths thereof, shall be used annually under the provisions of this act, for the construction and maintenance of second and third class highways as defined in section five of chapter twenty-five of the revised statutes, and, together with other funds provided for the construction of state aid highways, shall be known as the third class highways fund.

Sec. 4. The balance of the fund created under the provisions of section one of this act shall be annually available for the maintenance of state and state aid highways and bridges, in accordance with existing provisions of law. Provided, however, that any unexpended balance left over in any year on this fund shall be carried forward and added to any fund available for the same purpose the following year.

Sec. 5. How third class highways fund shall be expended and how distributed. 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 and fifty-eight of the public laws of nineteen hundred and seventeen, and used for that purpose.

Sec. 6. Municipal officers to file description of location with state highway commissioner; construction to be continued until work is completed or location changed; work to be completed before Sept. 30; third class highway fund not to be expended on road where buildings are less than 200 feet apart for 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.

CHAP. 142

Sec. 7. Highways must meet standard of construction. 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 apply, and such standard of construction must meet the approval of the state highway commission.

Sec. 8. Highway commission to co-operate with municipal officers; no money to be paid by state until work is inspected. The state highway commission shall co-operate 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. 9. Highways to be maintained by towns; penalty for failure. 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.

1915, c. 319, § 11. R. S., c. 25, § 36 as enacted by 1917, c. 258; 1919 c. 88, c. 220 and c. 263. 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 and as amended by chapter eighty-eight of the public laws of nineteen hundred and nineteen, chapter two hundred and twenty of the public laws of nineteen hundred and nineteen, and chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, and section eleven of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen are hereby repealed.

Sec. 11. Contingent upon adoption of proposed constitutional amendment. This act shall take effect only upon the adoption in September, nineteen hundred and twenty-one, of the proposed amendment to section seventeen of article nine of the constitution, permitting the use of the proceeds of state highway bonds for the construction of state aid highways; and in case of such adoption shall take effect on the date said constitutional amendment becomes effective.