

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

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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.

KENNEBEC JOURNAL PRINT SHOP
AUGUSTA, MAINE
1923

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

1923

[supplied from page 1 of volume]

Chapter 203.

An Act to Define and Fix the Order of Preference in Which State Aid Highway Construction Funds Shall Be Apportioned to Towns Under Existing Law.

Emergency preamble. Whereas, certain inequalities and conflicts exist in the present laws relative to the apportionment of state aid highway construction funds, and

Whereas, under such existing laws neither the state nor the several towns in the state which may appropriate money for the year nineteen hundred and twenty-three for state aid highway construction, can seasonably determine how much state aid such towns will receive until it is too late to begin and complete highway construction urgently needed within said towns, and

Whereas, a correction of these existing conditions is urgently needed, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section sixteen of article thirty-one of the constitution of the state of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. State aid highway funds, how apportioned; procedure when state funds are not sufficient to meet town appropriations. The apportionment of all funds appropriated by the state under the provisions of general law for the construction of state aid highways shall be made by the state highway commission to the several towns applying for such state aid funds in the manner provided by statute, in the following order of precedence: First, to provide for apportionments made under section twenty of chapter twenty-five of the revised statutes, as amended by section four of chapter two hundred fifty-eight of the public laws of nineteen hundred and seventeen; second, to provide for apportionments made under the provisions of section twenty-one of chapter twenty-five of the revised statutes, as amended by section five of chapter two hundred fifty-eight of the public laws of nineteen hundred and seventeen; third, to provide the apportionment necessary to comply with the provisions of chapter one hundred fifty-four of the public laws of nineteen hundred and seventeen as amended by chapter one hundred fifty-seven of the public laws of nineteen hundred nineteen, for the construction of state aid highways extending through three or more towns. Provided, that in case there are not sufficient funds available from the state to meet the apportionments for the several towns appropriating money under the provisions of chap-

ter one hundred fifty-four of the public laws of nineteen hundred and seventeen, as amended by chapter one hundred fifty-seven of the public laws of nineteen hundred and nineteen, to the extent of at last one year's state aid, the municipal officers of any or all such towns may set aside from the amount appropriated under the provisions of chapter one hundred and fifty-four, public laws of nineteen hundred and seventeen, or under chapter one hundred and fifty-seven, public laws of nineteen hundred and nineteen, the amount which such towns would be entitled to appropriate under the provisions of section eighteen of chapter twenty-five, revised statutes, and to apply for state aid as though the towns had made said appropriation at the annual town meeting. The state highway commission shall apportion to such towns state aid according to the provisions of section twenty of chapter twenty-five, revised statutes. Joint funds created under this provision shall be expended upon a state aid road mutually agreed upon by the municipal officers of the town and the state highway commission.

Sec. 2. Surplus funds carried over to state aid highway fund for a succeeding year. Any such funds remaining after the apportionment as above provided shall be carried over to the state aid highway fund for a succeeding year and shall be used for the construction of state aid highways.

Sec. 3. Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 4, 1923.

Chapter 204.

An Act to Amend Chapter Two Hundred and Ninety-four of the Public Laws of Nineteen Hundred and Seventeen, as Amended by Chapter Sixty-three of the Public Laws of Nineteen Hundred and Twenty-one, Relating to Intoxicating Liquors.

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

Sec. 1. P. L., 1917, c. 294; 1921, c. 63; relating to seizure of vehicles and boats used for illegally transporting intoxicating liquors, amended. Chapter two hundred ninety-four of the public laws of nineteen hundred and seventeen, as amended by chapter sixty-three of the public laws of nineteen hundred and twenty-one, is hereby further amended by striking out the words "illegal sale within the state" in the third line and inserting in place thereof the following words: "sale or containing intoxicating liquor in the possession of or in the control of any person transporting the same without being in possession of a permit therefor duly issued under authority by the provisions of the national prohibition act of October twenty-