

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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westerly side of a ledge and an iron pipe driven into the ground; thence north sixty-six and one-fourth degrees ($66\frac{1}{4}^{\circ}$) east twenty-nine (29) rods and twenty (20) links more or less to a spotted oak tree; thence north fifty-two degrees (52°) east twenty-four and one-half ($24\frac{1}{2}$) rods more or less to a rock and an iron pipe driven into the ground; thence north thirty-five and one-half degrees ($35\frac{1}{2}^{\circ}$) west thirty-three (33) rods and five (5) links more or less to a white oak tree and iron pipe driven into the ground; thence north sixty-one and one-half degrees ($61\frac{1}{2}^{\circ}$) east twenty-four (24) rods and fourteen (14) links more or less to the westerly end of an old stone wall and iron pipe driven into the ground; thence north fifty-one and three-eighths degrees ($51\frac{3}{8}^{\circ}$) east nineteen rods more or less to a spotted red oak tree and an iron pipe driven into the ground; thence south seventy-one and one-fourth degrees ($71\frac{1}{4}^{\circ}$) east forty-three (43) rods more or less to the point of beginning.

Provided, however, that the provisions of this act shall not be construed as prohibiting a person killing a predatory animal when found destroying his property.

Sec. 2. Penalty for violations. Whoever violates any provision of this act shall be subject to a penalty of not less than ten dollars, nor more than three hundred dollars and costs for each offense, or imprisonment for sixty days, or both said fine and imprisonment. It shall also be unlawful, under the same penalty, for any person to have in his possession, at any time, any wild bird or any wild animal, or part thereof, taken within the above named closed territory.

Sec. 3. Commissioner may enlarge territory. The commissioner of inland fisheries and game is hereby empowered to enlarge the territory in this game preserve, or sanctuary, upon petition of owners of the additional land to be included.

Approved March 15, 1929.

Chapter 72.

An Act to Amend the "Bridge Act," So-called, Providing for State and County Aid in the Construction of Highway Bridges.

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

P. L., 1915, c. 319, sec. 2; P. L., 1927, c. 153, sec. 1; relating to apportionment of costs in the construction of highway bridges, further amended. Section two of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, as amended by section one of chapter one hundred fifty-three, of the public laws of nineteen hundred and twenty-seven, is hereby further amended by striking out all of said section and substituting therefor the following:

Sec. 2. How costs shall be divided. The cost of construction of a bridge built or rebuilt under the provisions of this act shall be divided as follows: When the cost of said construction makes a tax rate of five mills or less on the valuation of the town last made by the board of state assessors, forty-five per cent by the town, thirty per cent by the county in which said town is located and twenty-five per cent by the state; when the tax rate determined as above is ten mills the cost shall be borne as follows: forty per cent by the town, thirty per cent by the county and thirty per cent by the state; when the tax rate determined as above is fifteen mills the cost shall be borne as follows: thirty-five per cent by the town, thirty per cent by the county, and thirty-five per cent by the state; when the tax rate determined as above is twenty mills the cost shall be borne as follows: thirty per cent by the town, thirty per cent by the county, and forty per cent by the state; when the tax rate determined as above is thirty mills the cost shall be borne as follows: twenty-five per cent by the town, thirty per cent by the county and forty-five per cent by the state; when the tax rate determined as above is forty mills the cost shall be borne as follows: twenty per cent by the town, thirty per cent by the county and fifty per cent by the state; when the tax rate determined as above is sixty mills the cost shall be borne as follows: fifteen per cent by the town, thirty per cent by the county and fifty-five per cent by the state; when the tax rate determined as above is eighty mills the cost shall be borne as follows: twelve per cent by the town, thirty per cent by the county and fifty-eight per cent by the state; when the tax rate determined as above is one hundred mills the cost shall be borne as follows: ten per cent by the town, thirty per cent by the county and sixty per cent by the state. For intermediate tax rates the percentage of cost to be borne by the town and state shall be proportional, computed to the nearest tenth of one per cent. When the tax rate determined as above is over one hundred mills the town shall pay a fixed sum, equivalent to one per cent of its state valuation, the county thirty per cent of the cost of construction, and the state the balance. The cost of reconstruction of a bridge owned and maintained wholly by the county, but located in a town or organized plantation, shall be borne as follows: fifty per cent by the county and fifty per cent by the state.

Providing, however, that whenever there is built or rebuilt under this act any bridge upon a state highway, which bridge lies in whole or in part in a town of four thousand inhabitants or less, according to the last federal census, the county or counties wherein such bridge is located shall pay the amount or amounts required by the provisions of this act, and the state shall pay the balance.

In the event of two bridges being built or rebuilt simultaneously, or practically so, in the same town the basis for computing the tax rate applicable and used in determining the apportionment of cost to be borne

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by the state and town shall be the total cost of each bridge as a separate unit, and the apportionments shall be determined and assessed separately for each bridge. The cost of construction shall include the complete cost of the bridge proper and such embankments, surfacing and other work as is necessary to provide proper, adequate and safe approaches to the bridge; the maintenance of traffic by temporary detours and structures whenever existing highways cannot satisfactorily be used for such service; and such charges for engineering, advertising and inspection as may be incurred in the preliminary and actual construction phases of the work.

Unless otherwise expressed or implied, wherever the word "town" occurs in this act, it shall mean to include towns, cities, organized plantations, and unorganized townships.

The words "main thoroughfare" as used in this act shall mean only such state highways, state aid highways, and third class highways as have been so designated, determined and accepted by the state highway commission to receive aid from the state as provided by law, and the word "bridge" shall mean only such a structure as shall require a span of ten or more feet, between the faces of the abutments thereof.'

Sec. 2. P. L., 1915, c. 319; further amended. Said chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, and acts amendatory thereof and additional thereto, is hereby further amended by adding thereto the following section:

'Sec. 15. Limiting construction in any one town. Under the provisions of this act not more than two bridges may be built or rebuilt in any one town in any one calendar year, except when in the unanimous judgment of the joint board an emergency exists and public necessity and safety require the immediate building or rebuilding of the bridge petitioned for.'

Sec. 3. Act applies to all bridges when construction is begun after Jan. 15, 1929. The provisions of this act shall apply to all bridges, the construction of which, under the provisions of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, as amended, is begun after January fifteenth, nineteen hundred and twenty-nine.

Approved March 15, 1929.

Chapter 73.

An Act Requiring the State Highway Commission to File with County Commissioners a Record of Location and Change of Location of State Highways, State Aid Highways and Third Class Highways.

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

State highway commission must file record of change of location in