

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1939

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

Chapter 96

AN ACT Providing for Joint Financial Participation between the State and Its Municipalities.

Emergency preamble. Whereas, the provisions of this act directly affect the joint participation of the various municipalities of the state in carrying on the construction, repair and maintenance of highways in co-operation with the state highway commission; and

Whereas, a large part of this work must be undertaken prior to 90 days from the date of the final adjournment of this legislature; and

Whereas, the delay in this work would create a material loss and hardship to a large portion of the people of the state and a delay of this much needed highway work; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution 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. Reapportionment of highway funds. For the purpose of assisting the cities, towns and plantations of the state in conducting during the fiscal years ending June 30, 1940, and June 30, 1941, a comprehensive program of construction and maintenance of highways, the state highway commission is hereby authorized and directed to apportion the sum of \$800,000 out of general highway funds in each of said years to and among the several cities, towns and plantations. The amount to be paid to each city, town and plantation shall be such proportion of said \$800,000 as the valuation of said city, town or plantation, as fixed by the state tax assessor for said years, bears to the total valuation of said cities, towns and plantations as so fixed by said state tax assessor for said years. Said sums so distributed to the cities, towns and plantations of the state shall be used by them under the direction of and subject to the approval of the state highway commission in lieu of any sums appropriated by said cities, towns and plantations for highway purposes. The municipal officers of said cities, towns and plantations are hereby authorized and empowered to use said funds for said purposes.

Sec. 2. Old age assistance provided for. All applications for old age assistance under the provisions of section 3 of Title II of chapter 105 of the private and special laws of 1937, as amended, shall be made to the municipal officers of the cities, towns and plantations in which the applicant

resides. Said applications shall be made on blanks furnished by the department of health and welfare and forwarded by said municipal officers to the department of health and welfare. For the fiscal years ending June 30, 1940, and June 30, 1941, the various cities, towns and plantations in the state shall pay to the state 25% of the total cost of old age assistance, which said 25% shall not in either of said fiscal years exceed the total sum of \$800,000, said sums to be added to and become a part of any other sums appropriated by the state for said purpose. The amount to be paid by each city, town or plantation shall be such proportion of said sum of \$800,000 as the valuation of such city, town or plantation, as fixed by the state tax assessor for said years, bears to the total valuation of all the cities, towns and plantations in the state as fixed by the state tax assessor for said years. The state controller not later than July 1, 1939, and July 1, 1940, shall compute the annual amount due from each city, town and plantation and forward a statement of said amount to the municipal officers of said city, town and plantation. Beginning August 1, 1939, and on the 1st day of each month thereafter, the cities, towns and plantations shall forward to the treasurer of state $1/12$ of the annual amount so found to be due from said city, town or plantation. Any city, town or plantation which becomes 3 months in arrears in payments as aforesaid, shall be deemed delinquent. Whenever it appears that a city, town or plantation is delinquent in making payment as aforesaid to the state, the amounts in arrears shall be collected in the same manner and subject to the same penalty as delinquent state taxes. For the purpose of meeting the requirements of this section, the several cities, towns and plantations are authorized and empowered to appropriate such sums of money annually as may be required to meet the payments herein provided for. In the event that any city, town or plantation shall not make appropriations for the purpose of meeting the payments required under this section for either of said fiscal years, the municipal officers of any such city, town or plantation are authorized and directed to transfer from any appropriation made by said city, town or plantation the sum or sums sufficient to make the payments required by this section.

Sec. 3. Validity. If any section, sentence, clause or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Emergency clause. In view of the emergency recited in the preamble, this act shall take effect when approved by the governor.