

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Eighty-ninth and Ninetieth  
Legislatures

OF THE  
STATE OF MAINE

From April 21, 1939 to April 26, 1941  
AND MISCELLANEOUS STATE PAPERS

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Published by 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.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1941

PROPERTY OF THE  
STATE OF MAINE  
NOT TO BE SOLD

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

(Effective July 26, 1941)

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## CHAP. 94

Department	1941-1942	1942-1943
Resolve providing for the payment of certain pauper claims	46,001.06	
Resolve authorizing the purchase of property for the State	13,500.00	
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Total Miscellaneous Resolves	69,709.36	
NAUTICAL SCHOOL, MAINE		
Expenses	15,000.00	15,000.00
PARK COMMISSION, BAXTER STATE		
Maintenance and operation of Baxter State Park	4,000.00	4,000.00
PUBLIC BUILDINGS, SUPERINTENDENT OF		
Expenses in connection with Maine State Office Building Authority		50,000.00
SANITARY WATER BOARD		
Expenses	400.00	400.00
SEA AND SHORE FISHERIES, DEPARTMENT OF		
Lobster hatchery and rearing station	20,000.00	20,000.00
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Total Supplemental Appropriations	\$408,813.36	\$389,604.00

**Emergency clause.** In view of the emergency cited in the preamble hereof, this act shall take effect July 1, 1941.

Approved April 26, 1941

## Chapter 94

### AN ACT Reapportioning the Expenditure of the General Highway Fund.

**Emergency preamble.** Whereas, the finances of the state are such as to require an immediate program of strictest economy in the management of all its affairs; and

Whereas, it is immediately necessary in accordance with the foregoing to determine the program for highway construction to be henceforth pursued so that available funds may be used to the greatest advantage and be most wisely and economically expended; and

Whereas, in the judgment of the legislature these facts create an emer-

gency within the meaning of section 16 of Article XXXI of the constitution 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:*

**P. & S. L., 1939, c. 111, amended.** Chapter 111 of the private and special laws of 1939 is hereby repealed and section 1 of chapter 229 of the public laws of 1937, as amended, is hereby repealed and the following enacted in place thereof:

**Sec. 1. General highway fund defined.** To provide funds for the construction of state, state aid and 3rd class highways, for the maintenance of state and state aid highways, and interstate, intrastate and international bridges, and for other items of expenditure hereinafter specified, there is hereby established a fund to be known as the general highway fund. This fund shall include all fees received from the registration of motor vehicles and licensing of operators thereof, the receipts from the tax on internal combustion engine fuels, all fines, forfeitures and costs accruing to the state under section 118 of chapter 29 of the revised statutes, as amended by chapter 189 of the public laws of 1931, and all sums received on account of the state highway commission for permits to open highways, or from other sources, the disposition of which is not otherwise designated by law.

After payment from said general highway fund of such sums for interest and retirement as are necessary to meet the provisions of bond issues for state highway and bridge construction, the remainder of said fund shall be segregated, apportioned and expended as follows:

(a) \$160,000 annually for payment of the expenses of registering motor vehicles and licensing the operators thereof.

(b) \$310,000 annually for the maintenance of the state police.

(c) \$220,000 annually for the administration of the office and carrying out the duties of the state highway commission.

(d) \$260,000 annually for the administration of the tax on internal combustion engine fuel, and for the payment of refunds on said tax, as provided by statute.

(e) \$150,000 annually for expenditures authorized for the construction, maintenance and repair of roads and bridges in accordance with the terms of appropriate resolves of the legislature in favor of towns.

(f) \$99,015 for the fiscal year ending June 30, 1942, and \$98,445 for the fiscal year ending June 30, 1943, for expenditures authorized for the construction, maintenance and repair of roads and bridges in accordance with

## CHAP. 94

the terms of appropriate special resolves of the legislature in favor of towns to be taken from general highway funds.

(g) \$885,000 for the fiscal year ending June 30, 1942, and \$885,000 for the fiscal year ending June 30, 1943, for the construction of state aid highways, to be known as the fund for state aid construction; provided, however, that if the aggregate applications by towns for state aid construction exceed the amount herein appropriated and available therefor, the state highway commission shall make a pro rata reduction as provided by section 24 of chapter 28 of the revised statutes.

(h) \$670,000 annually for the construction of 3rd class highways as defined by section 5 of chapter 28 of the revised statutes, except that, upon petition of the selectmen of the town and approval of the highway commission, the 3rd class apportionment of any town may be expended on a state aid road, or toward the town's share of the cost of construction or reconstruction of bridges under the bridge act.

(i) \$50,000 annually to be used only in conjunction with federal funds for the elimination of railroad grade crossings and accompanying engineering and land damage.

(j) \$425,000 annually only in the case that it is necessary in the judgment of the state highway commission to match federal funds for construction of secondary roads and for the improvement of emergency military highways.

(k) \$450,000 for the fiscal year ending June 30, 1942, and \$300,000 for the fiscal year ending June 30, 1943, for the construction of bridges under the general bridge act.

(l) \$2,425,000 for the fiscal year ending June 30, 1942, and \$2,563,000 for the fiscal year ending June 30, 1943, for the maintenance of state highways and state aid highways.

(m) \$200,000 for the fiscal year ending June 30, 1942, and \$300,000 for the fiscal year ending June 30, 1943, for the application of bituminous surface treatments on improved gravel highways on the state or state aid highway system, which, in the opinion of the state highway commission, are in suitable condition for such treatments.

(n) \$200,000 annually for the maintenance of interstate, intrastate and international bridges.

(o) \$850,000 annually for the cost of clearing snow from highways which is borne by the state as provided by statute.

(p) \$200,000 annually to be used solely for the maintenance of unimproved roads; such maintenance work to consist of road machine work, drainage and gravelling.

The fund for unimproved roads shall be allotted annually to cities, towns and plantations, in proportion to the number of miles of unimproved roads located within their respective limits, as determined by the state highway commission. Unexpended balances shall be available for expenditure in the succeeding year.

The administration and expenditure of this fund shall be under the general supervision of the state highway commission. Location of roads for improvement under the provisions of this subsection shall be recommended by municipal officers and subject to approval by said commission. After approval of location, towns may proceed to expend their allotments and shall be reimbursed upon receipt by said commission of sufficient evidence of expenditure.

Expenditure of the funds obtained under the provisions of this subsection shall be limited to \$1500 on any 1 mile of any road during a period of 10 years.

(q) \$25,000 annually for the supply of the equipment and the maintenance thereof including gas, oil and grease on federal and municipal projects for which rental or reimbursement is not allowable.

(r) \$25,000 for the fiscal year ending June 30, 1942, and \$52,000 for the fiscal year ending June 30, 1943, for the compensation for injuries to employees of the state highway department payable under the terms of the Workmen's Compensation Act.

(s) \$16,000 annually for the continuation of the highway planning survey (any part of which funds may be used to match federal funds for the purpose of carrying out said planning survey).

(t) \$300,000 annually for the construction and reconstruction of state highways not in the federal system.

(u) \$400,000 for the fiscal year ending June 30, 1942, and \$600,000 for the fiscal year ending June 30, 1943, only in the case that it is necessary in the judgment of the state highway commission and the governor and council to match federal funds to aid in the construction or improvement of federal highways in this state.

(v) The remainder for the construction of bridges and for the maintenance of state highways and state aid highways as provided by statute to be apportioned at the discretion of the state highway commission.

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