

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

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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1943

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

wise herein provided, no person holding any city office, elective or appointive, shall at the same time hold any other city office or be otherwise employed by the city, save in cases of emergency and subject first to the approval of the board of finance in each case.'

Sec. 28. P. & S. L., 1939, c. 8, Art. XVI, § 2, amended. Section 2 of Article XVI of chapter 8 of the private and special laws of 1939, is hereby amended by adding at the end thereof the following:

'To be eligible for appointment, a member shall be registered in the party he represents at least 6 months prior to the date of appointment, and provided also that he shall not have been registered in any other party within 1 year prior to the time of appointment.'

Sec. 29. P. & S. L., 1939, c. 8, Art. XVI, § 13, amended. Section 13 of chapter 8 of the private and special laws of 1939, is hereby amended by adding at the end thereof the following:

'The minutes of all meetings of all boards and commissions containing complete records of all actions taken at the meetings shall be available to the public at the office of the city clerk within 48 hours after said meetings.'

Effective July 9, 1943

Chapter 87

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 emergency 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:

Sec. 1. P. & S. L., 1941, c. 94, amended. Chapter 94 of the private

CHAP. 87

and special laws of 1941 is hereby repealed and the following enacted in place thereof:

'Allocation of general highway fund. The general highway fund shall be segregated, apportioned and expended during the fiscal years ending June 30, 1944 and June 30, 1945, as follows:

	1943-44	1944-45
(a) For payment of the expenses of registering motor vehicles and licensing the operators thereof.	\$167,000	\$167,000
(b) For the maintenance of the building occupied by the motor vehicle division.	14,000	14,000
(c) For the maintenance of the state police.	321,300	329,850
(d) For the maintenance of the state police building.	6,000	6,000
(e) For the administration of the office and carrying out the duties of the state highway commission.	201,200	201,200
(f) For the amounts due the employees' retirement association.	40,000	40,000
(g) For the administration of the tax on internal combustion engine fuel.	26,600	26,600
(h) 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.	670,000	670,000
(i) For use only in conjunction with federal funds for the elimination of railroad grade crossings and accompanying engineering and land damage.	50,000	50,000
(j) 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.	200,000	200,000
(k) For the construction of bridges under the general bridge act.	200,000	200,000
(l) For the expense of operating the Richmond-Dresden bridge.	3,000	3,000

	1943-44	1944-45
(m) For the expense of operating the Deer Isle-Sedgwick bridge.	12,000	12,000
(n) For the maintenance of state highways and state aid highways.	1,800,000	1,800,000
(o) For the maintenance of interstate, intrastate and international bridges.	220,000	220,000
(p) For the cost of clearing snow from highways which is borne by the state as provided by statute.	900,000	900,000
(q) For the compensation for injuries to employees of the state highway department payable under the terms of the Workmen's Compensation Act.	45,000	45,000
(r) 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).	16,000	16,000
(s) Solely for the maintenance of unimproved roads, such maintenance work to consist of road machine work, drainage and gravelling.	200,000	200,000

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 \$1,500 on any 1 mile of any road during a period of 10 years.

	1943-44	1944-45
(t) For the construction and reconstruction of state highway not in the federal system.	300,000	300,000
(u) 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.	150,000	150,000
(v) The remainder for the construction of bridges and for the maintenance of state highways and state aid highways as provided by statute and for extra administrative costs not anticipated in the budget, to be apportioned at the discretion of the state highway commission.		
(w) Whenever it may appear to the highway commission that the income received by the state to provide for the apportionment of funds as provided for in this chapter, is less than the amount apportioned for that purpose, the highway commission, with the approval of the governor with the advice and consent of his council, may curtail or eliminate any or all parts of said apportionments in such manner as will best conserve the funds of the state highway department and permit the department to operate within the available revenues. It shall be the intent of this paragraph that in event such curtailment or elimination is deemed necessary, that after retirement of bonds and payment of interest, such balance as may be available be first expended for continued maintenance of present roads and bridges before consideration be given to new construction.		

Sec. 2. Auxiliary appropriation for the maintenance of the state police. There is hereby appropriated from the general funds of the state for the maintenance of the state police for the fiscal year ending June 30, 1944, \$35,700, and for the fiscal year ending June 30, 1945, \$36,650.

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

Effective April 9, 1943