

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

Published by the Revisor of Statutes in accordance
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

Chapter 136

AN ACT to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1946 and June 30, 1947.

Emergency preamble. Whereas, acts and resolves passed by the legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the state highway commission will become due and payable on or immediately after July 1, 1945; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 6 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for and 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. Allocation of general highway fund. Income to the general highway fund for the next two fiscal years—from July 1, 1945 to June 30, 1946, and from July 1, 1946 to June 30, 1947—shall be segregated, apportioned, and expended as designated in the following schedules:

DEPARTMENT	1945-46	1946-47
A. Bond Interest	\$ 496,700	\$ 441,428
B. Bond Retirement	\$1,724,000	\$1,729,000
C. State Highway Commission		
1. General Administration	\$ 177,899	\$ 178,740
2. Highway Planning	16,000	16,000
3. Maintenance of Bridges	200,000	200,000
4. Maintenance and Betterments—State and State aid roads	3,700,000	4,000,000

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DEPARTMENT	1945-46	1946-47
5. Removal of snow from highway	1,200,000	1,200,000
6. Construction of bridges, general bridge act	450,000	450,000
7. Interest on and retirement of Hancock-Sullivan Bridge bonds in accordance with Chapter 82 of the Private and Special Laws of 1943	6,230	5,978
8. Roads on North Haven, Vinalhaven, Swan's Island, Isle au Haut, and Cranberry Isle in accordance with Chapter 99, Private and Special Laws of 1937, and Chapter 87, Private and Special Laws of 1939	4,000	4,000
9. Compensation for injuries under terms of the Workmen's Compensation Act ..	50,000	50,000
Total, State Highway Commission (C.)	\$5,804,129	\$6,104,718
D. State Police		
1. General Administration	\$ 407,814	\$ 422,123
E. Public Buildings, Superintendent of		
1. State Police Headquarters, maintenance	\$ 5,956	\$ 6,110
2. Motor Vehicle Registration, maintenance	11,937	9,250
Total, Public Buildings (E.)	\$ 17,893	\$ 15,360
F. Secretary of State		
1. Motor Vehicle Division, for expenses of registering motor vehicles and licensing drivers thereof	\$ 205,000	\$ 217,000

DEPARTMENT	1945-46	1946-47
G. Bureau of Taxation		
1. Administration of Gasoline and Use Fuel Tax	\$ 21,550	\$ 21,550
H. Contributions and Transfers to Other Funds		
1. To the General Fund for accounting, auditing, purchasing and legal services, rendered to the state highway commission	46,358	46,280
2. To Special Revenue Funds for auditing services rendered to the state highway commission	2,475	2,475
3. To Public Service Enterprises for toll bridge deficits (Deer Isle-Sedgwick Bridge—Richmond-Dresden Bridge) ..	14,950	3,180
4. To Trust and Agency Funds for Employees' Retirement System	95,500	96,500
Total, Contributions and Transfers (H.)	\$ 163,283	\$ 152,435
Total Appropriations, Sec. 1	\$8,836,369	\$9,099,614

I. Should it appear that, after providing for the above appropriations, there will be moneys available from current revenues in excess of those now contemplated, any such excess may be apportioned in accordance with the provisions of section 2 of this act. Whenever it may appear to the state highway commission that the income received by the state to provide for the apportionment of funds, as above scheduled, is less than the amount apportioned for that purpose, the state highway commission, with the approval of the governor and council, may curtail or eliminate any or all parts of said apportionments in such manner as will best conserve the general highway fund and permit operation 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 and betterment of present roads and bridges before considera-

tion be given to new construction. Investment in normal inventories necessary for highway and bridge operation in addition to these allocations is hereby authorized.

Sec. 2. Allocation of the unappropriated general highway fund surplus. The unappropriated general highway fund surplus may be apportioned at the discretion of the state highway commission, with the approval of the governor and council, for the following purposes and in accordance with the following schedules and conditions:

	1945-46	1946-47
A. Construction of state aid highways ..	\$1,220,000	\$1,220,000
<p>\$350,000 of this amount shall be known as the mileage apportionment for state aid construction and reconstruction. This amount shall be apportioned to cities and towns in accordance with the number of miles of 4th class roads, as defined in section 5 of chapter 20 of the revised statutes, maintained therein. Each city or town apportionment from this fund shall be expended for reconstruction of improved 3rd class highways until all such highways have, as herein provided, been reclassified by the commission, as improved state aid highways. In any city or town no apportionment from this fund shall be expended upon an unimproved section of highway until after all sections of improved state aid highways, as determined by proper inspection by the commission, within any city or town, have been, in the opinion of the commission, properly reconstructed. As of January 1, 1946 the state highway commission shall reclassify and maintain as state aid highways all improved sections of designated 3rd class roads, constructed under its supervision, that it finds by inspection between April 1, 1945 and June 1, 1945 have been properly constructed and warrants continuous maintenance as improved state aid highways. The state highway commission shall reclassify as state aid highways all improved sections of designated 3rd class roads, constructed under its supervision, that by inspection between April 1 and June 1 of any year after 1945 it finds have been properly reconstructed and warrants continued maintenance as improved state aid highways.</p>		
B. Resolves of the legislature for construction and repair of highways and bridges ..	\$ 150,000	\$ 150,000
C. For expenditures authorized for the construction, maintenance and repair of roads and bridges in accordance with the terms of appropriate special resolves of the legislature in favor of towns to be taken from general highway funds	\$ 18,000	

D. For expenditures for unimproved roads authorized by the "town road improvement fund" as provided by sections 42-A to 42-E, inclusive of chapter 20 of the revised statutes \$ 200,000 \$ 200,000

E. An amount not to exceed \$2,500,000 may be apportioned during the biennium period ending June 30, 1947 to match federal funds apportioned to the state of Maine under the Federal Highway Act of 1944.

F. For payment of such costs as may be necessary for bond interest and retirement in addition to the amounts of such payments specified in section 1 of this act.

G. For maintenance and betterments of state and state aid highways.

H. For construction of bridges under the terms of the general bridge Act.

I. For extra-administrative costs not anticipated in the budget for any department or agency receiving allocations from the general highway fund.

J. Specified apportionments in this section shall mean maximum limiting amounts. Whenever it may appear to the state highway commission that the balance in the unappropriated general highway fund surplus is not sufficient to make the contemplated apportionments, the state highway commission, with the approval of the governor and council, may curtail or eliminate any or all parts of said apportionments. It shall be the intent of this paragraph to authorize the state highway commission, with approval of the governor and council, to make apportionments from the unappropriated general highway fund surplus under this section in a manner which, in their opinion, is most expedient and for the best interests of the state.

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