

MAINE STATE LEGISLATURE

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September 14, 1956

no

To Harry E. Henderson, Deputy Treasurer of State
Re: Jonesport Reach Bridge Loan

We have your memorandum asking, "Does the Jonesport Reach Bridge Loan come within the meaning of a bond issue 'for state highway and bridge construction' so as to make its principal and interest requirements a liability of the General Highway Fund?"

The State Highway Commission was authorized to build this bridge by Chapter 198 of the Private and Special Laws of 1955. Section 7 of this act makes a special provision and appropriation for the payment of interest on the bonds issued by virtue of this law. This provision does not change the general law in regard to the payment of interest on bond issues for state highway and bridge construction except for the provision for repayment to the general highway fund as soon as money is available from tolls.

The legislature considered it was creating a debt on behalf of the State. (Preamble, Chapter 198, P&SL 1955). It could have provided specially for the payment of the principal at the time of enacting the legislation. It did not do so. In providing specially for the payment of interest it simply reiterated the general law. The legislature must, therefore, have intended these bonds to be treated as all other bonds for state highway and bridge construction.

The answer to your question is, Yes.

Frank F. Harding
Attorney General

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