

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 2 FY 96/97
DATE November 8, 1996

**AN ORDER TRANSFERRING FUNDS FROM UNALLOCATED
HIGHWAY SURPLUS ACCOUNT PURSUANT TO 23 M.R.S.A. §1654**

WHEREAS, a severe storm caused heavy rain in York, Cumberland and Oxford Counties during the week of October 21, 1996; and

WHEREAS, the heavy rains damaged certain State highways, State aid highways, connector roads, State-owned bridges, State-maintained bridges, municipal roads, municipally-owned bridges, and municipally-maintained bridges; and

WHEREAS, a civil emergency was declared by Proclamation dated October 21, 1996; and

WHEREAS, the following five (5) bridges were completely destroyed and must be rebuilt:

Clark Bridge, Wells
Brand Bridge, Windham
Foxwell Brook Bridge, Scarborough
Jones Bridge, Windham
Milliken's Mill Bridge, Old Orchard Beach; and

WHEREAS, the bridges are maintained either by the State or by the above municipalities under the provisions of the Local Bridge Act, 23 M.R.S.A. §608, et seq.; and

WHEREAS, funding for rebuilding of the bridges has not been appropriated; and

WHEREAS, restoration constitutes "an expense arising out of an emergency requiring an expenditure of money not provided by the Legislature" pursuant to 23 M.R.S.A. §1654; and

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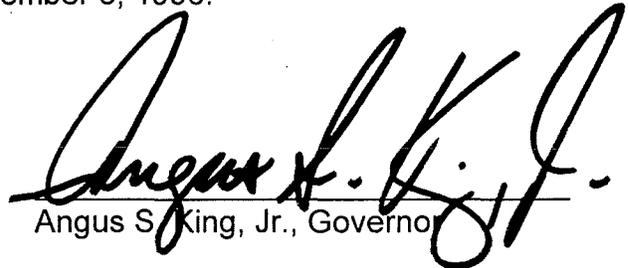
WHEREAS, after consultation with the Commissioner of Transportation and the State Budget Office, it has been determined that funds must be allocated from the unallocated highway fund surplus account to meet the emergency expenses not otherwise provided for by the Legislature; and

WHEREAS, such allocations from the highway fund surplus account are supported by the facts recited herein; and

WHEREAS, this Order and supporting statement of facts shall be provided promptly to the Office of Fiscal and Program Review, the President of the Senate, and the Speaker of the House of Representatives, all pursuant to 23 M.R.S.A. §1654;

NOW, THEREFORE, I, ANGUS S. KING, JR., Governor of the State of Maine, by virtue of the authority vested in me by the Constitution and 23 M.R.S.A. §1654, do hereby order that One Million Dollars (\$1,000,000) shall be allocated from the unallocated highway fund surplus account for use by the Department of Transportation in capital improvements to the five (5) bridges described above in order to restore their structural and functional capacity.

The effective date of this Order is November 8, 1996.


Angus S. King, Jr., Governor