

# MAINE STATE LEGISLATURE

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(New Title)  
New Draft of: H. P. 1727, L. D. 2171  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2548

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H. P. 2004 House of Representatives, March 1, 1974  
Reported by Mr. Wood from the Committee on Transportation and printed  
under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**RESOLVE, Providing for the Replacement of Babb's Covered Bridge in  
Windham and Gorham.**

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**Replacement of Babb's Covered Bridge in Windham and Gorham. Resolved:** That the Maine Department of Transportation may, when funds can be made available, construct a covered wooden bridge to replace the former covered wooden bridge known as Babb's Bridge over the Presumpscot River on the Hurricane Road between the Towns of Windham and Gorham, replacement of the bridge to be subject to an agreement between the Towns of Windham and Gorham and the Department of Transportation including, but not limited to, the following conditions:

1. That the new bridge shall be a replica of Babb's Bridge which was destroyed by fire on May 6, 1973 and shall provide for the same load limit, namely 4 tons gross weight of vehicle and load, as was carried on the bridge that was destroyed by fire;

2. That the Towns of Windham and Gorham shall protect the new bridge against vandalism and destruction by fire by adequate police protection, or insurance covering loss, or a combination of both or other provisions to be contained in the agreement;

3. In the event the new bridge is destroyed by fire, vandalism or otherwise, the State of Maine will not be responsible for replacing the same except with a conventional steel and concrete bridge as may be constructed under the provisions of the so-called General Bridge Act, the Revised Stat-

utes, Title 23, sections 451 to 459, with the necessary right-of-way for such construction to be provided by the 2 towns;

4. Construction of the bridge will not be authorized by the Department of Transportation until the Towns of Windham and Gorham, at special town meetings to be held before August 1, 1974, authorize the selectmen to execute the agreement with the State Department of Transportation and, further, if either or both towns fail to hold town meetings and enter into the agreement, the State of Maine will not be responsible for replacing Babb's Bridge.

#### STATEMENT OF FACT

Babb's Bridge referred to in this Resolve is one of 10 covered bridges in the State of Maine, 9 of which are maintained by the State of Maine through the State Department of Transportation. It was destroyed by fire on May 6, 1973, apparently as an act of vandalism despite the fact that some attempt had been made to police the location. The Selectmen of the Towns of Windham and Gorham have requested the State Department of Transportation to authorize replacement of the bridge in the form of a replica of Babb's Bridge. This Resolve provides for this replacement and requires the Towns of Windham and Gorham to assume certain responsibilities under the terms of an agreement between the Towns and the State Department of Transportation. This Resolve provides that in the event the new bridge is destroyed in the future, the State of Maine will not be required to replace it, except under the terms of the General Bridge Act.