

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1258**

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H. P. 994

House of Representatives, March 20, 1975

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Norris of Brewer.

Cosponsors: Mr. Cox of Brewer, Mr. McKernan of Bangor and Mr. Kelleher of Bangor.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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### **AN ACT to Authorize the Construction of a Bridge Across the Penobscot River Between the Cities of Brewer and Bangor.**

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**Preamble.** Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine to authorize the issuance of bonds on behalf of the State of Maine to provide funds for construction of a bridge.

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. Department of Transportation authorized to construct bridge across the Penobscot River.** The Department of Transportation is authorized, contingent upon section 3 of this Act, to construct a bridge with approaches to it across the Penobscot River between the Cities of Brewer and Bangor at an estimated cost of \$23,000,000. The cost of this bridge, with the highway approaches to it, shall be taken and appropriated from the proceeds of bonds issued under authority of this Act.

**Sec. 2. Treasurer of State to issue bonds.** The Treasurer of State is authorized, contingent upon section 3 of this Act, under the direction of the Governor and Council, to issue from time to time serial coupon bonds redeemable before maturity in the name and behalf of the State to an amount not exceeding \$2,300,000 for the purpose of raising funds for the construction of this bridge and approaches, as provided in this Act. These bonds shall be deemed a pledge of the faith and credit of the State. These bonds when paid at maturity or otherwise retired shall not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

**Sec. 3. Authority contingent upon designation.** The authority granted the Department of Transportation and the Treasurer of State under this Act shall be contingent upon the bridge proposed under this Act, together with its approaches, being designated a proposed extension of the United States Interstate Highway System by the Federal Highway Administration of the United States Department of the Interior. In the absence of this designation, the referendum mandated by this Act shall not be held.

**Sec. 4. Records of bonds issued to be kept by State Auditor and Treasurer of State.** The State Auditor shall keep an account of these bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of their delivery to the Treasurer of State, who shall keep an account of each bond, showing its number, the name of the person to whom sold, the amount received for it, the date of sale and the date when payable.

**Sec. 5. Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of these bonds by direction of the Governor and Council; but none of these bonds shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of these bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this Act. Any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the purposes herein set forth.

**Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds.** The proceeds of all bonds issued under authority of this Act shall at all times be kept distinct from all other moneys of the State and shall not be drawn upon or be available for any other purpose.

**Sec. 7. Interest and debt retirement.** Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds shall be paid by the Treasurer of State.

**Sec. 8. Disbursement of bond proceeds.** The proceeds of these bonds shall be expended under the direction and supervision of the Department of Transportation.

**Sec. 9. Contingent upon ratification of bond issue.** No action shall be taken or liability incurred under this Act unless and until the people of Maine shall have ratified the issuance of bonds in behalf of the State at such times and in such amounts as set forth in this Act for the purpose of building a bridge across the Penobscot River between the Cities of Brewer and Bangor.

**Referendum for ratification.** The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of their inhabitants for the election of Senators and Representatives, at the next general or special state-wide election to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be:

“Shall a bond issue be ratified in an amount not to exceed \$2,300,000 as set forth in ‘An Act to Authorize the Construction of a Bridge Across the Penobscot River between the Cities of Brewer and Bangor,’ passed by the 107th Legislature?”

The inhabitants of these cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of this question, those in favor of ratification voting “Yes” and those opposed to ratification voting “No” and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count them and if it shall appear that a majority of the inhabitants voting on the question are in favor of the Act, the Governor shall forthwith make known the fact by his proclamation, and the Act shall become effective in 30 days after the date of said proclamation.

**Secretary of State shall prepare ballots.** The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing Act, accompanied by a copy of it.

#### STATEMENT OF FACT

The purpose of this Act is to authorize the construction and partial funding of a bridge across the Penobscot River between State Route 15 near the approach to the Industrial Park in Brewer and U.S. Route 395 in Bangor.