

# MAINE STATE LEGISLATURE

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# EIGHTY-FOURTH LEGISLATURE

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**Senate Document**

**No. 220**

S. P. 541

In Senate, February 21, 1929.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Nickerson of Waldo.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT to Provide for Building a Bridge Across the Penobscot River, at or Near Bucksport, to be Known as the Waldo-Hancock Bridge.

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

Section 1. The governor with the advice and consent of  
2 the council, shall appoint one person, a resident of the  
3 county of Waldo, one person, a resident of the county of  
4 Hancock and two persons from the state at large, who,  
5 with the state highway commission, shall constitute a board  
6 to be known as the directors of the Waldo-Hancock bridge,  
7 hereinafter called the directors. The term of office of the  
8 four directors so appointed shall cease whenever said bridge

9 shall be completed ready for use. Members of the highway  
10 commission shall hold the office of director only so long as  
11 they are members of said commission. The four directors  
12 appointed by the governor shall serve without pay, but their  
13 necessary expenses shall be paid by the state.

Sect. 2. The directors shall locate said bridge at some  
2 convenient point in either the town of Prospect or the town  
3 of Stockton Springs in the county of Waldo, on the west  
4 side of the Penobscot river, and the said bridge shall cross  
5 said river to some convenient point in either the town of  
6 Bucksport or the town of Verona, in the county of Han-  
7 cock, on the east side of said river. They shall cause to be  
8 made all necessary plans for piers and for a bridge which  
9 shall be of such a nature as will reasonably accommodate  
10 highway traffic across said river between the points at which  
11 the bridge shall cross said river. The cost of such highway  
12 bridge shall not exceed one million dollars, including the  
13 approaches.

If necessary, said bridge shall contain such draw as shall  
2 be satisfactory to the United States war department. Be-  
3 fore completing the plans, the directors shall thoroughly in-  
4 form themselves as to the present and future requirements  
5 of such bridge.

The directors shall have authority to appoint and employ  
2 such engineers, agents, assistants and other employees as  
3 they deem necessary, and with the advice and consent of  
4 the governor and council, to make and let a contract or

5 contracts for the construction of said bridge and its ap-  
6 proaches and to do any other act necessary for the con-  
7 struction of said bridge. After the completion of said  
8 bridge and its approaches, and during construction if neces-  
9 sary, the directors shall employ a drawtender, toll keeper  
10 and such other persons as may be necessary for the upkeep,  
11 maintenance, repairs and operation of said bridge. They  
12 shall also look after and manage said bridge and look after  
13 and have charge of the maintenance, upkeep, repairs and  
14 operation of said bridge and may arrange for rents from  
15 the railroad and other utilities wishing to use the same.

Sect. 3. The directors may take as for public uses, ac-  
2 quire by purchase, by right of eminent domain or other-  
3 wise, and hold, such real estate and such rights and ease-  
4 ments therein, including leaseholds and buildings the title to  
5 which is separate from the ownership of the land as the  
6 directors may from time to time consider necessary for the  
7 location and construction of the bridge, and for the neces-  
8 sary highways and approaches to the same, and may lay  
9 out and build such highway as in the opinion of the direc-  
10 tors may seem necessary. Any property taken as for pub-  
11 lic uses and by right of eminent domain shall be taken in  
12 the manner provided by law in the case of land taken for  
13 laying out and the construction of highways.

Sect. 4. From the proceeds of bonds issued by the state  
2 of Maine for the purposes of this act as hereinafter pro-  
3 vided, the treasurer of the state shall pay all damages sus-

4 tained by any person, firm or corporation by the taking of  
5 any property or any right or easement therein by either of  
6 the methods provided in section three, including the pur-  
7 chase price thereof if said price be agreed upon between  
8 the owner and the directors. Any person, firm or corpora-  
9 tion sustaining damages by the taking of his property or any  
10 right or easement therein and failing to agree with the  
11 directors as to the amount to be paid therefor, may have  
12 the same assessed and determined in the same manner pro-  
13 vided by law in case of land taken for the laying out of  
14 highways.

Sect. 5. They may also lease, with the advice and con-  
2 sent of the governor and council, for a period not exceed-  
3 ing fifty years, rights to telephone companies, telegraph  
4 companies, or water companies, and other utilities, to use  
5 such bridge.

Sect. 6. Said bridge when constructed shall be operated  
2 as a toll bridge until all the bonds issued, as hereinafter  
3 provided for, shall be retired, except that travelers on foot  
4 shall be allowed to cross said bridge free from the payment  
5 of toll. The directors shall charge and collect such tolls  
6 for the use and crossing of said bridge by vehicles and other  
7 traffic (other than foot passengers) as may from time to  
8 time be determined and ordered by the public utilities com-  
9 mission. The public utilities commission is hereby author-  
10 ized and directed to establish and promulgate the tolls to  
11 be charged and collected by the directors for the use and

12 crossing of said bridge by vehicles and other traffic (exclu-  
13 sive of foot passengers) having regard to the value of the  
14 service rendered, and the requirements for upkeep, main-  
15 tenance, repairs and operation of said bridge and the pro-  
16 viding for the payment of interest on and the retirement  
17 of the bonds hereinafter provided for. Said commission  
18 may from time to time establish and promulgate new tolls  
19 and may provide for the issue of trip or commutation tickets  
20 at less than the regular tolls good for a definite number of  
21 passages across said bridge within a specified time. All  
22 moneys collected as tolls shall be regularly deposited by the  
23 directors in some bank or trust company designated there-  
24 for by the governor and council, and on the first secular  
25 day of each month the balance so on deposit shall be trans-  
26 mitted by them to the state treasurer. All rentals shall be  
27 paid direct to the state treasurer. From the funds so re-  
28 ceived the state treasurer on warrants signed by said direc-  
29 tors and approved by the governor and council and by the  
30 state auditor shall pay all bills for the maintenance, upkeep,  
31 repairs and operation of said bridge and shall also pay the  
32 interest on the bonds as they come due, any balance shall  
33 be held by him as a separate fund for the retirement and  
34 payment of the bonds hereinafter provided for.

Sect. 7. The directors shall on the first day of Decem-  
2 ber of each year submit to the governor and council a re-  
3 port, which report shall contain a statement of the doings of  
4 the directors during the preceding year, and such recommen-

5 dations as to legislation as shall in their opinion be necessary  
6 or expedient to enable them to better administer the affairs  
7 of said bridge and to regulate the use thereof under their  
8 direction.

Sect. 8. The directors may apply to congress in behalf  
2 of the state for an appropriation to assist in the construc-  
3 tion of said bridge and any funds received shall be used  
4 either in the construction or in retiring bonds already is-  
5 sued by the state of Maine for the construction of said  
6 bridge.

Sect. 9. From the proceeds of bonds issued by the state  
2 of Maine for the purpose of building a bridge across the  
3 Penobscot river as aforesaid, as embodied in a resolution  
4 of the legislature proposing an amendment to article nine  
5 of the constitution, if said amendment shall be adopted, the  
6 treasurer is hereby authorized, on warrants issued there-  
7 for by the directors, with the approval of the governor and  
8 council, to disburse and pay said moneys as are herein  
9 authorized for the purpose of carrying out the provisions  
10 of this act. The said treasurer is further empowered to  
11 issue bonds as authorized by said proposed amendment, if  
12 the same be adopted, in such form and in such amounts,  
13 not exceeding the total set forth in said proposed amend-  
14 ment from time to time, as the governor and council may  
15 determine.

Sect. 10. No action shall be taken or liability incurred  
2 under this act unless and until the people of Maine shall

3 have adopted an amendment to the constitution of the state  
4 of Maine authorizing the issuing of bonds for the construc-  
5 tion of a bridge between the points hereinbefore mentioned  
6 as contemplated herein.