

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 364

S. P. 541

In Senate, March 20, 1929.

Read a second time and Senate Amendment "A" adopted. Tabled by Senator Nickerson of Waldo pending passage to be engrossed as amended by Senate Amendment "A." Tomorrow assigned. 500 copies of Bill as amended ordered ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Nickerson of Waldo.

STATE OF MAINE

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

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

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 high-
10 way commission shall hold the office of director only so
11 long as they are members of said commission. The four
12 directors appointed by the governor shall serve without pay,
13 but their 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
3 town of Stockton Springs in the county of Waldo, on the
4 west side of the Penobscot river, and the said bridge shall
5 cross said river to some convenient point in either the town
6 of Bucksport or the town of Verona, in the county of
7 Hancock, on the east side of said river. They shall cause
8 to be made all necessary plans for piers and for a bridge
9 which shall be of such a nature as will reasonably accom-
10 modate highway traffic across said river between the points
11 at which the bridge shall cross said river. The cost of such
12 highway bridge shall not exceed one million, two hundred
13 thousand dollars, including the approaches. Before com-
14 pleting the plans, the directors shall thoroughly inform
15 themselves as to the present and future requirements of
16 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 up-
11 keep, maintenance, repairs and operation of said bridge.
12 They shall also look after and manage said bridge and
13 look after and have charge of the maintenance, upkeep,
14 repairs and operation of said bridge and may arrange for
15 rents from 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
5 to which is separate from the ownership of the land as
6 the directors may from time to time consider necessary for
7 the location and construction of the bridge, and for the
8 necessary highways and approaches to the same, and may
9 lay out and build such highway as in the opinion of the
10 directors may seem necessary. Any property taken as for
11 public uses and by right of eminent domain shall be taken
12 in the manner provided by law in the case of land taken
13 for 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
5 of any property or any right or easement therein by either
6 of the methods provided in section three, including the
7 purchase price thereof if said price be agreed upon be-
8 tween the owner and the directors. Any person, firm or
9 corporation sustaining damages by the taking of his prop-
10 erty or any right or easement therein and failing to agree
11 with the directors as to the amount to be paid therefor,
12 may have the same assessed and determined in the same
13 manner provided by law in case of land taken for the lay-
14 ing out of 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. The directors shall charge
4 and collect such tolls for the use and crossing of said bridge
5 by vehicles and other traffic as may from time to time be
6 determined and ordered by the public utilities commission.
7 The public utilities commission is hereby authorized and
8 directed to establish and promulgate the tolls to be charged
9 and collected by the directors for the use and crossing of
10 said bridge by vehicles and other traffic having regard to

11 the value of the service rendered, and the requirements for
12 upkeep, maintenance, repairs and operation of said bridge
13 and the providing for the payment of interest on and the
14 requirement of the bonds hereinafter provided for. Said
15 commission may from time to time establish and promul-
16 gate new tolls and may provide for the issue of trip or
17 commutation tickets at less than the regular tolls good for
18 a definite number of passages across said bridge within
19 a specified time. All moneys collected as tolls shall be
20 regularly deposited by the directors in some bank or trust
21 company designated therefor by the governor and council,
22 and on the first secular day of each month the balance so
23 on deposit shall be transmitted by them to the state treas-
24 urer. All rentals shall be paid direct to the state treas-
25 urer. From the funds so received the state treasurer on
26 warrants signed by said directors and approved by the gov-
27 ernor and council and by the state auditor shall pay all
28 bills for the maintenance, upkeep, repairs and operation of
29 said bridge and shall also pay the interest on the bonds
30 as they come due, any balance shall be held by him as a
31 separate fund for the retirement and payment of the bonds
32 hereinafter provided for.

Sect. 7. The directors shall on the first day of December
2 of each year submit to the governor and council a report,
3 which report shall contain a statement of the doings of the
4 directors during the preceding year, and such recommenda-
5 tions 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 for federal aid in be-
2 half of the state for an appropriation to assist in the con-
3 struction of said bridge and any funds received shall be
4 used either in the construction or in retiring bonds already
5 issued 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,
6 the 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 con-
5 struction of a bridge between the points hereinbefore men-
6 tioned as contemplated herein.