

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 693

H. P. 1594

House of Representatives, February 14, 1939.

Referred to Committee on Judiciary and sent up for concurrence. 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Dow of Eliot.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to the Interstate Bridge Authority for the Portsmouth-Kittery Bridge and Approaches Thereto.

Emergency preamble. Whereas, for the preservation of the public peace, health and safety and for other reasons, "The Maine-New Hampshire Interstate Bridge Authority" was incorporated by chapter 18 of the private and special laws of 1937, with power to construct, maintain, reconstruct and operate a toll bridge between the city of Portsmouth in New Hampshire and the town of Kittery, in Maine, pursuant to the provisions of a compact, authorized by said chapter 18, to be entered into between the state of Maine and the state of New Hampshire, and

Whereas, said compact was executed by the representatives of the states of Maine and New Hampshire and the consent of Congress granted thereto, and said authority was authorized by act of Congress to construct, maintain and operate said bridge, and

Whereas, the authority has applied for and obtained a grant of monies from the federal government to construct said bridge, under the terms of which grant construction of said bridge was required to begin on or before December 26, 1938, and it did so begin, and

Whereas, expenditure of part of the sum so granted is necessary forthwith, and

Whereas, in the judgment of the legislature, the obsolete, unlawful and inadequate condition of the present wooden pile bridge across the Piscataqua river between said city and town and the present hazardous traffic conditions in the town of Kittery as set out in the preamble to said chapter 18 of the private and special laws of 1937, and the necessity of expending immediately part of the sum so granted create an emergency within the meaning of section 16, of Article XXXI of the Constitution and require the following legislation as immediately necessary for the preservation of the public peace, health and safety;

Now therefore,

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

Sec. 1. P. & S. L., 1937, c. 18, § 12, amended. Section 12 of chapter 18 of the private and special laws of 1937 is hereby amended by striking out the whole thereof and substituting in place thereof the following:

'Sec. 12. Federal consent. No sum shall be expended by the authority unless and until the authority shall have obtained the consent of the Congress of the United States to said compact and to the construction, maintenance and operation of said toll bridge, nor unless and until it shall also have obtained the approval of the plan for said bridge by the chief of engineers and by the secretary of war of the United States, provided, however, that the failure of the authority to receive such consent and approval, or either of them, shall not in any way affect the validity of any bond of the authority or the security therefor.'

Sec. 2. Ratification. Nothing herein contained is intended to invalidate any action heretofore taken by the Maine-New Hampshire Interstate Bridge Authority, all such action being hereby ratified and confirmed.

Emergency clause. In view of the emergency set forth in the preamble, this act shall take effect when approved.