

# MAINE STATE LEGISLATURE

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

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**Legislative Document**

**No. 999**

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H. P. 1650

House of Representatives, March 7, 1941.

Reported by Mr. Farwell from Committee on Ways and Bridges and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**RESOLVE, Freeing the Carlton Bridge of Tolls.**

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**Emergency preamble.** Whereas, chapter 89 of the private and special laws of 1925, "An Act to Provide for Building a Bridge Across the Kennebec River Between the City of Bath and the Town of Woolwich", provides in section 6 that said bridge, when constructed, shall be operated as a highway toll bridge until 45% of the bonds issued, as thereafter provided for, shall be retired, and

Whereas, the next date at which any part of said bond issue is callable is May 1, 1941, and

Whereas, a sufficient amount of money has been collected from tolls and from excise tax to retire said 45% of said bonds, and

Whereas, it is the opinion of the legislature that it is not public policy to require the public to pay tolls on any public bridge and/or highway in excess of the actual minimum necessary for the retirement of the principal of the cost of any such bridge and/or highway, including interest accrued thereon, plus incidental costs including maintenance, repairs, etc., up to the time the said bridge and/or highway is declared free for use, and unless this resolve secures a passage many people will be obliged to pay tolls beyond the contemplation of the legislature, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of the state of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now therefore,

Be it resolved as follows:

**Sec. 1. Resolved** that from the effective date of this resolve that portion of Carlton Bridge used for highway purposes shall be free from tolls and shall remain free of tolls unless re-established as a toll bridge under the provisions of section 6 of chapter 89 of the private and special laws of 1925.

**Sec. 2.** Each of such municipalities of the state as are paying, in lieu of tolls for its inhabitants, 50% of certain excise taxes under the provisions of an order of the public utilities commission dated February 5, 1935, shall pay all excise taxes due to the state previous to January, 1941 under the terms of said order and shall in addition thereto pay to the state two/twelfths of 50% of all excise taxes received by said municipality during the year 1941; all tolls and excise taxes received by the state in excess of those necessary to take care of bond retirement, interest charges, etc., as set forth above shall go into the general highway maintenance funds of the state, subject only to pro rata refund on unused books of commutation tickets provided the same are presented for redemption within 30 days after the date as of which the bridge is declared free.

**Sec. 3.** This resolve shall be strictly construed and shall not be regarded as repealing or in any way modifying or affecting any act of this legislature or any contract concerning the use of said bridge other than matters expressly referred to herein.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.