

MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 1081—L. D. 684
(New Title)

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

Legislative Document

No. 1363

H. P. 1795

House of Representatives, April 30, 1951.

Reported by Mr. Lackee from Committee on Highways and printed under
Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

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

Preamble. Two-thirds of both houses of the legislature deeming it
necessary in accordance with section 14 of article IX of the constitution;

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

Sec. 1. State highway commission authorized to construct bridge. The
state highway commission is hereby authorized to construct a bridge across
the Penobscot river between the cities of Bangor and Brewer, in the county
of Penobscot, with necessary highway approaches thereto, at an estimated
cost of \$2,500,000. The cost of said bridge, with the highway approaches
thereto, shall be taken and appropriated from the proceeds of bonds issued
under authority of this act.

Sec. 2. Toll bridge. The state highway commission shall operate such
bridge when constructed as a toll bridge until all the bonds issued as pro-
vided by this act shall be retired. The commission shall charge and collect
such tolls for the use and crossing of said bridge by vehicles and other
traffic, with the exception of pedestrians for whose passage no toll shall be
charged, as may from time to time be determined and ordered by it, having

due regard to the value of the services rendered, the cost of upkeep, maintenance, repairs and operation, and interest of the bonds issued.

Sec. 3. Treasurer of state to issue bonds. The treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and behalf of the state to an amount not exceeding \$2,500,000 for the purpose of raising funds for the construction of said bridge, as provided in this act.

Sec. 4. Records of bonds issued to be kept by state auditor and treasurer. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, 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 such bonds by direction of the governor and council; but no such bond shall be loaned, pledged or hypothecated in behalf of the state. The proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, are hereby 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 set forth herein.

Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds. The proceeds of all bonds issued under the 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 the provisions of this act and all sums coming due for payment of bonds at maturity shall be paid by the treasurer of state from the general highway fund.

Sec. 8. Disbursement of bond proceeds. The proceeds of such bonds shall be expended under the direction and supervision of the state highway commission.

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 time and in such amounts as set forth in this act for the purpose of building a toll bridge across the Penobscot river between the cities of Bangor and Brewer.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby 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 said 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 for the purposes set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer,' passed by the 95th legislature?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said ratification voting "Yes" and those opposed to said 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 the same 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 thereupon become effective as of 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 thereof.