

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

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

---

---

**Legislative Document**

**No. 383**

---

---

H. P. 311

House of Representatives, February 4, 1953

Referred to the Committee on Appropriations and Financial Affairs,  
sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Peterson of Bar Harbor

---

---

**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

---

**RESOLVE, to Loan Funds from the Unappropriated Surplus for the  
Construction of an International Ferry Terminal.**

---

**Emergency preamble.** Whereas, by chapter 219 of the private and special laws of 1951 authority was granted to the Maine Port Authority to construct a terminal or pier at Bar Harbor to be the Maine terminal of an International Ferry between Nova Scotia and Bar Harbor; and

Whereas, the Canadian government or its authorized agent has already contracted to construct a ferry at a cost in excess of \$4,000,000 and is to construct a pier at Yarmouth, Nova Scotia, to be the Canadian terminal of the International Ferry at a cost of not less than \$1,250,000; and

Whereas, the legislature finds as a fact that the entire project is dependent upon a construction schedule that guarantees completion of the terminal facility construction on or before May 1st, 1954 which requires immediate action; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Funds for construction of international ferry terminal at Bar Harbor.**

**Resolved:** That there be, and hereby is, appropriated from the unappropriated surplus of the general fund the sum of \$1,250,000 and made available to the Maine Port Authority to be expended by said Maine Port Authority to pay for plans and other proper expenses in connection therewith and for the construction of a terminal at Bar Harbor suitable to be the Maine terminal of an International Ferry to run between Nova Scotia and Bar Harbor; and be it further

**Resolved:** That such sum shall be available to the Maine Port Authority for the specified purposes after the directors of the Maine Port Authority have executed a lease with the Canadian government, or its designated agent, for the use of the Bar Harbor Terminal when constructed; and be it further

**Resolved:** That such lease shall contain a provision to the effect that the Canadian government, or its designated agent, shall pay the cost of operation and maintenance and shall pay to the directors of the Maine Port Authority for rental of the Bar Harbor terminal such sums of money as will amortize the cost of such terminal, and plans and proper incidental expenses in connection therewith, over a period not exceeding 30 years, in annual payments; and be it further

**Resolved:** That the governor and council and the attorney general shall approve such lease and be satisfied that such maintenance, amortization and operation are well and safely guaranteed at completion; and be it further

**Resolved:** That the money hereby appropriated shall be repaid as follows: beginning 1 year after completion of the Bar Harbor terminal for use as such, there shall be paid to the State of Maine by the directors of the Maine Port Authority, not less than 1/30th of the amount expended hereunder, if and when received by it from the Canadian government, or its designated agent, and a like payment each year thereafter for 30 years, with interest at 2% per year on the unpaid balance, payable yearly, if and when received by it; but such interest shall be payable only if those investing the capital in the ferry and in the pier at Yarmouth, Nova Scotia, receive their pro-rata share of the interest paid from the operation of said ferry; and be it further

**Resolved:** That after the money hereby expended has been repaid to the State of Maine, that the directors of the Maine Port Authority shall transfer to the Canadian government or its designated agent, its right and ownership in the Bar Harbor Terminal and shall deed the property to the

Canadian government or its designated agent without further consideration; and be it further

**Resolved:** That the provisions of chapter 114 of the private and special laws of 1929, as amended, as they apply to the length of terms of leases authorized by the directors of the Maine Port Authority shall not apply to the length of terms of any lease authorized by the provisions of this resolve.

This resolve is passed with the understanding that the town of Bar Harbor shall transfer and convey for the consideration of \$1 to said Maine Port Authority by instrument satisfactory to said Maine Port Authority the land and site on which said pier is to be built and all riparian rights connected therewith, with the right in said Maine Port Authority to transfer said land and riparian rights to the Canadian National Railway Company at the termination of the lease herein referred to; and be it further

**Resolved:** That, anything herein to the contrary notwithstanding, no part of the money hereby appropriated shall represent indebtedness of the Maine Port Authority to the State of Maine, and the Maine Port Authority shall have no obligation, either express or implied, to repay any part of said money to the State of Maine, except to transmit to the State of Maine all rentals received by it pursuant to the provisions hereof.

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

#### STATEMENT OF FACTS

Chapter 219 of the private and special laws of 1951 gave to the Maine Port Authority the right to construct a terminal at Bar Harbor for the use of the International Ferry to run between Bar Harbor and Nova Scotia. No provisions for the necessary funds to construct such terminal were made.

The Canadian government has already contracted for the construction of the ferry at a cost of in the excess of \$4,000,000 and for the construction of a pier at Yarmouth, Nova Scotia, at a cost of not less than \$1,250,000.

The purpose of this resolve is to provide the funds for the construction of the terminal at Bar Harbor. The directors of the Maine Port Authority are first, before the funds are made available, to execute a lease or contract with the Canadian government or its designated agent, for the use of the

terminal so that the funds hereby appropriated may be amortized over a period of 30 years and repaid to the State of Maine with interest as herein provided. After repayment, the terminal shall be deeded to the Canadian government or its designated agent, by the directors of the Maine Port Authority.