

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

shall have the same authority over it as he has over savings banks, trust companies and loan and building associations.

Sec. 6. First meeting, how called. Any 3 of the incorporators named in this act may call the 1st meeting of the corporation by mailing a written notice signed by 3 incorporators, postage paid, to each of the other incorporators, 5 days at least before the day of the meeting, naming the time, place and purpose of such meeting; and at such meeting the necessary officers may be chosen, by-laws adopted and any other corporate business transacted; provided that without such notice, all such incorporators may meet voluntarily at any time and effect their organization by electing officers, adopting by-laws and transacting other lawful business.

Sec. 7. Fee payable to secretary of state. The certificate mentioned in section 5 of chapter 49 of the revised statutes of 1944 shall not be received and filed by the secretary of state except upon payment to him for the use of the state, the sum of \$500, in addition to the fees prescribed by section 11 of said chapter 49.

Effective August 20, 1951

Chapter 212

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 provided by this act shall be retired, and all the expenses incurred hereunder shall be paid. The commission shall charge and collect such tolls for the use and crossing of said bridge by vehicles and other traffic, with the ex-

ception 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, and the tolls collected thereunder 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. The interest charges on the bonds issued hereunder that accrue before sufficient funds are available from tolls to pay them in full, shall be paid from the general highway fund until such time as the tolls of the bridge, applicable for the payment of interest are sufficient for this purpose, and such sums as are necessary for this purpose are hereby appropriated out of the general highway fund; provided however that all sums so paid shall be returned and repaid to said general highway fund from the tolls received on said bridge as soon as the same shall be available.

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 in an amount not to exceed \$2,500,000 as 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.