

CHAP. 126

regulations provided by satisfying warrants against deficient collectors, as prescribed by chapter eleven of the revised statutes.

Sec. 7. School funds withheld from delinquent municipalities. When any state tax assessed upon any city, town or plantation remains unpaid such city, town or plantation is precluded from drawing from the state treasury the school funds set apart for such city, town or plantation, so long as such tax remains unpaid.

Sec. 8. War bond sinking fund. For the purposes of carrying out an Act to provide for relief of needy dependents of disabled veterans of the world war, chapter two hundred and ninety-five, public laws of nineteen hundred and twenty-nine, the necessary funds shall be taken from the War Bond Sinking Fund, provided by chapter two hundred and twenty-one of the public laws of nineteen hundred and twenty-nine.

Approved April 13, 1929.

Chapter 126.

An Act to Provide for Building a Bridge Across the Penobscot River, at or Near Bucksport, to be Known as the Waldo-Hancock Bridge.

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

Sec. 1. Directors of Waldo-Hancock bridge. The governor with the advice and consent of the council, shall appoint one person, a resident of the county of Waldo, one person, a resident of the county of Hancock and two persons from the state at large, who, with the state highway commission, shall constitute a board to be known as the directors of the Waldo-Hancock bridge, hereinafter called the directors. The term of office of the four directors so appointed shall cease whenever said bridge shall be completed ready for use. Members of the highway commission shall hold the office of director only so long as they are members of said commission. The four directors appointed by the governor shall serve without pay, but their necessary expenses shall be paid by the state.

Sec. 2. Directors shall locate bridge; make necessary plans; authority to appoint and employ engineers; manage bridge. The directors shall locate said bridge at some convenient point in either the town of Prospect or the town of Stockton Springs in the county of Waldo, on the west side of the Penobscot river, and the said bridge shall cross said river to some convenient point in either the town of Bucksport or the town of Verona, in the county of Hancock, on the east side of said river. They shall cause to be made all necessary plans for piers and for a bridge which shall be of such a nature as will reasonably accommodate highway

traffic across said river between the points at which the bridge shall cross said river. The cost of such highway bridge shall not exceed one million two hundred thousand dollars, including the approaches.

Before completing the plans, the directors shall thoroughly inform themselves as to the present and future requirements of such bridge.

The directors shall have authority to appoint and employ such engineers, agents, assistants and other employees as they deem necessary, and with the advice and consent of the governor and council, to make and let a contract or contracts for the construction of said bridge and its approaches and to do any other act necessary for the construction of said bridge. After the completion of said bridge and its approaches, and during construction if necessary, the directors shall employ a drawtender, toll keeper and such other persons as may be necessary for the upkeep, maintenance, repairs and operation of said bridge. They shall also look after and manage said bridge and look after and have charge of the maintenance, upkeep, repairs and operation of said bridge and may arrange for rents from utilities wishing to use the same.

Sec. 3. Right of eminent domain to be exercised. The directors may take as for public uses, acquire by purchase, by right of eminent domain or otherwise, and hold, such real estate and such rights and easements therein, including leaseholds and buildings the title to which is separate from the ownership of the land as the directors may from time to time consider necessary for the location and construction of the bridge, and for the necessary highways and approaches to the same, and may lay out and build such highway as in the opinion of the directors may seem necessary. Any property taken as for public uses and by right of eminent domain shall be taken in the manner provided by law in the case of land taken for laying out and the construction of highways.

Sec. 4. Payment of damages. From the proceeds of bonds issued by the state of Maine for the purposes of this act as hereinafter provided, the treasurer of the state shall pay all damages sustained by any person, firm or corporation by the taking of any property or any right or easement therein by either of the methods provided in section three, including the purchase price thereof if said price be agreed upon between the owner and the directors. Any person, firm or corporation sustaining damages by the taking of his property or any right or easement therein and failing to agree with the directors as to the amount to be paid therefor, may have the same assessed and determined in the same manner provided by law in case of land taken for the laying out of highways.

Sec. 5. Lease of rights to public utilities. They may also lease, with

CHAP. 126

the advice and consent of the governor and council, for a period not exceeding fifty years, rights to telephone companies, telegraph companies, or water companies, and other utilities, to use such bridge.

Sec. 6. Toll bridge; rates; care and use of funds. Said bridge when constructed shall be operated as a toll bridge until all the bonds issued, as hereinafter provided for, shall be retired. The directors shall charge and collect such tolls for the use and crossing of said bridge by vehicles and other traffic as may from time to time be determined and ordered by the public utilities commission. The public utilities commission is hereby authorized and directed to establish and promulgate the tolls to be charged and collected by the directors for the use and crossing of said bridge by vehicles and other traffic having regard to the value of the service rendered, and the requirements for upkeep, maintenance, repairs and operation of said bridge and the providing for the payment of interest on and the retirement of the bonds hereinafter provided for. Said commission may from time to time establish and promulgate new tolls and may provide for the issue of trip or commutation tickets at less than the regular tolls good for a definite number of passages across said bridge within a specified time. All moneys collected as tolls shall be regularly deposited by the directors in some bank or trust company designated therefor by the governor and council, and on the first secular day of each month the balance so on deposit shall be transmitted by them to the state treasurer. All rentals shall be paid direct to the state treasurer. From the funds so received the state treasurer on warrants signed by said directors and approved by the governor and council and by the state auditor shall pay all bills for the maintenance, upkeep, repairs and operation of said bridge and shall also pay the interest on the bonds as they come due, any balance shall be held by him as a separate fund for the retirement and payment of the bonds hereinafter provided for.

Sec. 7. Report to governor and council. The directors shall on the first day of December of each year submit to the governor and council a report, which report shall contain a statement of the doings of the directors during the preceding year, and such recommendations as to legislation as shall in their opinion be necessary or expedient to enable them to better administer the affairs of said bridge and to regulate the use thereof under their direction.

Sec. 8. May apply for federal aid. The directors may apply for federal aid in behalf of the state for an appropriation to assist in the construction of said bridge and any funds received shall be used either in the construction or in retiring bonds already issued by the state of Maine for the construction of said bridge.

Sec. 9. Funds dependent on issue of bonds as embodied in resolution of legislature. From the proceeds of bonds issued by the state of Maine for the purpose of building a bridge across the Penobscot river as aforesaid, as embodied in a resolution of the legislature proposing an amendment to article nine of the constitution, if said amendment shall be adopted, the treasurer is hereby authorized, on warrants issued therefor by the directors, with the approval of the governor and council, to disburse and pay said moneys as are herein authorized for the purpose of carrying out the provisions of this act. The said treasurer is further empowered to issue bonds as authorized by said proposed amendment, if the same be adopted, in such form and in such amounts, not exceeding the total set forth in said proposed amendment from time to time, as the governor and council may determine.

Sec. 10. No action to be taken until people have adopted amendment. No action shall be taken or liability incurred under this act unless and until the people of Maine shall have adopted an amendment to the constitution of the state of Maine authorizing the issuing of bonds for the construction of a bridge between the points hereinbefore mentioned as contemplated herein.

Sec. 11. Directors authorized to acquire certain properties. The directors are hereby authorized to acquire the physical properties of the Winterport Ferry Company, and the Bucksport and Prospect Ferry Company which are used in their ferry business, at a valuation to be fixed by the public utilities commission of the state of Maine or by three commissioners appointed by the chief justice of the supreme judicial court upon petition by either the said Winterport Ferry Company, the Bucksport and Prospect Ferry Company or the directors to be appointed under this act. The authority granted under this act is on the express condition that the physical properties of the Winterport Ferry Company, and the Bucksport and Prospect Ferry Company shall be acquired in manner and form as herein stated, but nothing herein shall authorize the payment of any sum for the franchise of either of said ferry companies, and no allowance for loss of or interference with the franchises of said corporations shall be considered in fixing the valuation of the property acquired under this act.

Approved April 13, 1929.