

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 278**

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S. P. 195

In Senate, February 3, 1943.

Referred to Committee on Legal Affairs, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Sanborn of Cumberland.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT Amending "An Act to Create the Port of Portland Authority"  
as amended.**

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

**Sec. 1. P. & S. L., 1929, c. 114, § 4.** Section 4 of chapter 114 of the private and special laws of 1929 is hereby amended by adding the following paragraph :

‘(e) Surveys may be made. The directors shall give consideration to the development of ports in this state and, when deemed necessary, may cause surveys to be made; said directors shall consult with and advise representatives of such communities or districts as may desire to institute proceedings for local maritime and port development; they may make recommendations to the Legislature in respect of the same and to the municipal officers of such cities, towns or districts in which such ports are located.’

**Sec. 2. P. & S. L., 1929, c. 114, § 6, amended.** Section 6 of chapter 114 of the private and special laws of 1929 is hereby amended by adding thereto the following paragraphs, to read as follows :

'The Port of Portland Authority may take for public use, for its purposes any property, right, easement, use, interest or estate already appropriated to or charged with a public use, under its power of eminent domain, but consideration shall be given to such existing public use and all reasonable efforts shall be made to interfere no more than may be reasonably necessary with the business, service or functions of the owner, operator, possessor or other person controlling, managing or operating such existing public use.

Any person, firm or corporation sustaining damage as aforesaid, and failing to agree with the directors as to the amount thereof, may have the same assessed and determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within 3 years after the taking of such land, right, easement, use, interest or estate therein; but no such application shall be made after the expiration of the said 3 years.'