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

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

'Said board shall have an office **either** in the City of Portland **or the City of South Portland** in which shall be kept all maps, charts, plans and documents relating to the lands and waters over which it has control; and the present boards of commissioners for the City of Portland and for the City of South Portland, shall deliver to the board hereby created, such maps, charts, plans and documents now in the custody of said boards respectively, relating to the waters and lands here-tofore in charge of said boards.'

Effective September 21, 1963

Chapter 97

AN ACT Providing for Jurisdiction of Kittery Port Authority Over Town Wharves and Relating to Organization and Powers of the Authority.

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

Sec. 1. **P. & S. L., 1959, c. 39, amended.** Chapter 39 of the private and special laws of 1959 is amended to read as follows:

'Town of Kittery; Commissioner of Public Works, duties. The road commissioner for the Town of Kittery shall hereafter be known as the Commissioner of Public Works, and in addition to existing duties and powers, he shall supervise under the direction of the selectmen of the town the operation, maintenance and repair of the town-owned sewer systems and shall be custodian of municipally-owned buildings and real estate, excepting school properties ~~but including~~ **and** municipally-owned wharves, docks ~~and~~**,** piers **and landings.**'

Sec. 2. **P. & S. L., 1961, c. 163, § 1, amended.** Section 1 of chapter 163 of the private and special laws of 1961 is amended to read as follows:

'Sec. 1. Authority established. There shall be a Town of Kittery Port Authority, consisting of and governed by a board of 7 members, ~~5~~ **6** of whom shall be appointed by the selectmen of the Town of Kittery. At least 3 of said appointive members shall be permanent residents of the Town of Kittery, and shall serve for a term of 5 years, providing that of the first appointment hereunder, ~~one~~ **2** shall be appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years and one for a term of 5 years. Said members shall serve until their successors are appointed and qualified. Any vacancy occurring in the membership of the appointive members shall be filled by the selectmen for the unexpired term. ~~In addition to the 5 appointive members, the following officers shall be, by virtue of their offices, members of said board. The Chairman of the Town Planning Board and the Chairman of the Budget and Finance Committee.~~ **In addition to the 6 appointive members, the chairman of the Town Planning Board by virtue of his office shall be a member of the port authority, if such a board exists in the Town of Kittery. Otherwise, the 7th member shall be appointed by the board of selectmen, the tenure of such appointed member to be terminated upon the establishment and occupancy of the office of chairman of the Town Planning Board.** The board

shall elect one of its members as a chairman, one as a vice-chairman and one as secretary. The members of the board shall receive no compensation for their services; but their reasonable expenses incurred in the performance of their duties shall be paid by the Town of Kittery. The board shall have the right to adopt a common seal and to alter same, and to establish bylaws and regulations for the management of its affairs within the meaning of this authority, the laws of the State of Maine and the ordinances of the Town of Kittery.'

Sec. 3. P. & S. L., 1961, c. 163, § 2, amended. The first paragraph of section 2 of chapter 163 of the private and special laws of 1961 is amended to read as follows:

'The Town of Kittery Port Authority, in cooperation with ~~the Town of Kittery Planning and Development Board~~ other appropriate planning and development boards that may exist in the Town of Kittery, shall:'

Sec. 4. P. & S. L., 1961, c. 163, § 3, sub-§ III, amended. Subsection III of section 3 of chapter 163 of the private and special laws of 1961 is amended to read as follows:

'III. Be authorized and empowered to appoint and compensate a harbor master, who will enforce the directives of the authority, such as the placement of moorings, the assignments of anchorage areas and the movement of traffic, and the use of municipally-owned wharves, docks, piers and landings.'

Sec. 5. P. & S. L., 1961, c. 163, § 3, sub-§ IV, repealed and replaced. Subsection IV of section 3 of chapter 163 of the private and special laws of 1961 is repealed and the following enacted in place thereof:

'IV. Be authorized to raise funds for defraying the costs of administration and operation of the authority and projects under its supervision, through fund appropriation articles in the town warrant, submitted for consideration at any town meeting, and through any and all other sources of revenue authorized by this act.'

Sec. 6. P. & S. L., 1961, c. 163, § 3, sub-§ V, additional. Section 3 of chapter 163 of the private and special laws of 1961 is amended by adding a new subsection V, to read as follows:

'V. Be custodian of municipally-owned wharves, docks, piers and landings.'

Sec. 7. P. & S. L., 1961, c. 163, § 4, amended. The first sentence of section 4 of chapter 163 of the private and special laws of 1961 is amended to read as follows:

'Said authority may make such ordinances, rules and regulations touching municipally-owned wharves, docks, piers and landings, port captains, pilots and pilotage, harbors and harbor masters, for the areas herein defined as it may deem proper and from time to time may modify, rescind or alter the same.'

Effective September 21, 1963