

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 539

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*House of Representatives, March 17, 1913.*

*Reported by Mr. Sanborn from Committee on Judiciary, and  
ordered printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTEEN.

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AN ACT to amend Chapter one hundred eighteen of the Private and Special Laws of 1911, relating to the Park Commission of the City of Portland.

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

Section 1. Chapter 118 of the Private and Special Laws of 1911 is hereby amended so that as amended it shall read as follows: A commission to be styled Park Commission for the City of Portland is hereby established. Said commission shall consist of three persons, all of whom shall be appointed by the mayor, and shall hold office for the term of three years from the date of appointment, unless sooner

8 removed for cause. The mayor shall be chairman of said  
9 commission, ex-officio, but shall have only a casting vote.  
10 The board may annually appoint a secretary who shall hold  
11 office during the pleasure of said board. Whenever the  
12 mayor is absent, the commissioners may choose one of their  
13 number as chairman pro tempore. The members of the  
14 Commission of Cemeteries and Public Grounds holding of-  
15 fice July 1, 1913, shall hold office as park commissioners un-  
16 til the expiration of their respective terms, and in case of  
17 vacancy by resignation, death or removal, the mayor shall  
18 appoint a member for the unexpired term.

Sect. 2. Said commissioners shall have charge and control  
2 of the department of forestry, city playgrounds, and of all  
3 cemeteries (other than Evergreen Cemetery) together with  
4 parks, promenades, squares, and trees on public streets and  
5 public grounds which are, or may be hereafter reserved for  
6 ornamental use belonging to the city of Portland, and under  
7 their directions all appropriations made for said park and  
8 cemetery purposes shall be expended for their proper care,  
9 including the extermination of brown-tail and gypsy moths  
10 and other pests, also including other expenditures under the  
11 provisions of this act.

Sect. 3. The present board of commissioners of Back  
2 Bay and Fore River for the City of Portland shall continue  
3 in office until the first day of July, 1913, when their respec-  
4 tive terms of office shall be terminated, and thereafter all  
5 powers heretofore vested in and exercised by said board

6 shall vest in and be exercised by the Park Commissioners for  
7 the City of Portland, and said Park Commissioners in addi-  
8 tion to the powers herein granted shall have the same pow-  
9 ers respecting the acquiring of land for park, public grounds  
10 and cemetery purposes as the commissioners of Back Bay  
11 and Fore River now have in acquiring lands under the pro-  
12 visions of chapter 123 of the Private and Special Laws of  
13 1887 relating to Back Cove and Fore River in Portland  
14 Harbor.

Sect. 4. To enable said commissioners to extend the work  
2 of the Back Cove and Fore River Commission and to make  
3 improvements, to enlarge the park area, to maintain the  
4 said public grounds and cemeteries under their charge, and  
5 to pay for additions to said grounds and cemeteries already  
6 required, or to be acquired by the city of Portland, a tax of  
7 one mill on the dollar shall be assessed annually by the as-  
8 sessors of said City of Portland upon all estates and prop-  
9 erty subject to taxation in said city, to be taken at the last  
10 regular valuation. The amount of said tax when raised  
11 shall be set aside as a special fund to be expended by said  
12 commissioners for the purposes specified in this act. Pro-  
13 vided, however, one per cent of the amount of the above  
14 tax shall be reserved by the treasurer each year to cover  
15 any uncollected portion of this tax and carried to the credit  
16 of the account known as overlayings and abatements.

Sect. 5. Said commissioners may employ a secretary, en-  
2 gineers, and superintendents, and make all contracts for the

3 supply of labor and material necessary to carry on the work  
4 in charge of the said commission.

Sect. 6. Each commissioner shall give bond to the city  
2 for fidelity in office in such sum and with such sureties as  
3 the mayor shall approve, and shall receive such compensation  
4 for his services as the city council shall determine.

Sect. 7. All acts and parts of acts inconsistent with the  
2 provisions hereto contained are hereby repealed.