

# 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>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-SIXTH LEGISLATURE

---

---

SENATE

NO. 295

*In Senate, Feb. 12, 1913.*

*Laid on table for printing, on motion by Senator Cole of York, pending reference to the Committee on Judiciary in concurrence.*

*W. E. LAWRY, Secretary.*

---

---

STATE OF MAINE

---

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

---

AN ACT to amend Chapter 118 of the Private and Special  
Laws of 1911, relating to the Park Commission of the City  
of Portland.

---

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

Section 1. Chapter 118 of the Private and Special Laws  
2 of 1911 is hereby amended so that as amended it shall read  
3 as follows: A commission to be styled Park Commission  
4 for the City of Portland is hereby established. Said com-  
5 mission shall consist of three persons, all of whom shall be  
6 appointed by the mayor, and shall hold office for the term  
7 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 present members  
14 of the Commission of Cemeteries and Public Grounds shall  
15 hold office as park commissioners until the expiration of  
16 their respective terms, and in case of vacancy by resignation,  
17 death or removal, the mayor shall appoint a member for the  
18 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 browntail and gypsy moths  
10 and other pests.

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 respect-  
4 ive terms of office shall be determined, 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 ad-  
8 dition to the powers herein granted shall have the same  
9 powers respecting the acquiring of land for park, public  
10 grounds and cemetery purposes as the commissioners of  
11 Back Bay and Fore River now have in acquiring lands un-  
12 der the provisions of chapter 123 of the Private and Spe-  
13 cial Laws of 1887 relating to Back Cove and Fore River in  
14 Portland Harbor.

Sect. 4. To enable said commissioners to make improve-  
2 ments, to enlarge the park area, to maintain the said public  
3 grounds and cemeteries under their charge, and to pay for  
4 additions to said grounds and cemeteries already acquired,  
5 or to be acquired by the city of Portland, a tax of one mill  
6 on the dollar shall be assessed annually by the assessors of  
7 said city of Portland upon all estates and property subject  
8 to taxation in said city, to be taken at the last regular valu-  
9 ation. The amount of said tax when raised shall be set  
10 aside as a special fund to be expended by said commissioners  
11 for the purposes specified in this act. Provided, however,  
12 one per cent. of the amount of the above tax shall be re-  
13 served by the treasurer each year to cover any uncollected  
14 portion of this tax and carried to the credit of the account  
15 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 compensa-  
4 tion 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.