

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 804

House of Representatives, April 2, 1929.

Read and on motion of Mr. Richardson tabled pending adoption. 500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

HOUSE AMENDMENT "A" to Bill AN ACT to Establish
a Park Commission of the City of South Portland (House
Paper 321) (House Document 96).

Amend said bill by striking out all after the enacting clause
2 and inserting in place thereof the following:

Section 1. A commission to be styled the park com-
2 mission for the city of South Portland is hereby estab-
3 lished, said commission to consist of seven persons, one
4 member from each of the seven wards, who shall be elected
5 for a term of three years after the first election under this
6 act. At the first election there shall be elected in wards
7 one, three and four, a member of this commission for the
8 full term of three years, in wards two, six and seven for

9 a term of two years, and in ward five, a member for a term
10 of one year, and thereafter for a period of three years, and
11 shall thereafter be elected by the voters of the respective
12 wards as their terms expire; all future elections to be for
13 a full term of three years except in case of vacancy by death
14 or resignation, and then the election shall be for the unex-
15 pired term.

The candidates for election to the park commission shall
2 be nominated in the same manner as are candidates for the
3 school board.

The holding of any other official position, whether under
2 state, county or city, shall bar any person from being a
3 candidate for or becoming a member of this park com-
4 mission.

Any member of the park commission may tender his resig-
2 nation at any time, which resignation may be accepted by
3 the commission and the vacancy filled by the commission
4 until the next municipal election, when his successor shall
5 be elected for the unexpired term.

The mayor shall be the chairman of said commission ex-
2 officio, but shall have only a casting vote.

The board shall annually appoint a secretary who shall
2 hold office during the pleasure of said board. Whenever
3 the mayor is absent the commissioners may choose one of
4 their number as chairman pro tempore.

Sect. 2. Said commissioners shall have charge and con-
2 trol of the department of forestry, city playgrounds, and

3 of all cemeteries, together with parks, promenades, squares
4 and trees on public streets and public grounds which are
5 or may be hereafter reserved for ornamental use, belong-
6 ing to the city of South Portland; and under their direc-
7 tions all appropriations made for said parks and cemetery
8 purposes shall be expended for their proper care, including
9 the extermination of brown-tail and gipsy moths and other
10 pests, also including other expenditures under the provisions
11 of this act.

Sec. 3. Said commissioners shall carry on the work of
2 the park commission, make improvements, acquire and en-
3 large park areas, maintain the public grounds and ceme-
4 teries under their charge and for said purposes a tax to
5 be determined by the park commission, but not exceeding
6 one mill on the dollar, shall be assessed annually by the
7 assessors of said city of South Portland, upon all the es-
8 tates and property subject to taxation in said city, and shall
9 be included each year in the regular tax assessments. The
10 amount of said tax shall be set aside as a special fund to
11 be expended by said commissioners for the sole purposes
12 specified in this act.

Sect. 4. Said commissioners may employ a secretary, en-
2 gineers and superintendents and shall make all contracts
3 for the supply of labor and material necessary to carry on
4 the work in charge of said commission.

Sect. 5. Said commissioners shall, on or before the fif-
2 teenth day of January of each year, make a written report

3 of their duties to the municipal officers of said city of South
4 Portland, giving a detailed statement of all property under
5 their care, of all the personal property in the custody of
6 the commission and of their expenditures and the purposes
7 for which the money was expended, and the municipal offi-
8 cers shall cause said report to be printed as a part of the
9 annual city report.

Sect. 6. The members of this commission, after their
2 election, shall qualify by taking oath before the city clerk
3 for the faithful and impartial performance of their duties
4 as such commissioners and they shall serve without com-
5 pensation. No member of said commission shall be inter-
6 ested in any contract, labor or material furnished for or
7 used by the commission.

Sect. 7. Regular meetings of the commission shall be
2 held at such time and place as may be fixed by the board,
3 but there shall be one such regular meeting at least every
4 month.

Sect. 8. The mayor shall appoint a finance committee,
2 consisting of three members of the board who shall examine
3 and approve all bills contracted by the commission, and the
4 city treasurer is hereby authorized and directed to pay any
5 and all such bills as bear the approval of said finance com-
6 mittee and are ordered paid by the board of park com-
7 missioners as attested by the secretary of said board, and
8 the same shall be charged to the account of the park com-
9 mission.

Sect. 9. This act shall not take effect unless accepted and
2 approved by a majority vote of the legal voters of said city.
3 This act shall be submitted at the next regular state or
4 municipal election held in said city of South Portland after
5 the first day of September, nineteen hundred and twenty-
6 nine. The city clerk shall prepare a special ballot for this
7 purpose, which ballot shall contain the following question:
8 "Shall the act to establish a park commission for the city
9 of South Portland be accepted," and the voters shall indi-
10 cate their position by placing a cross over the word "yes"
11 or "no."

Sect. 10. In the event that the referendum on this act is
2 held at the regular municipal election in March, nineteen
3 hundred and thirty, then the legal voters in the respective
4 wards shall proceed to nominate and elect commissioners
5 as provided in section one of this act, as though the act had
6 previously been accepted. If on referendum the voters by
7 a majority vote, vote in favor of said act, then the mem-
8 bers so elected shall serve as commissioners as though said
9 act had previously been adopted. If said act is rejected,
10 then the election of said commissioners shall have no effect.

Sect. 11. All acts and parts of acts inconsistent with the
2 provisions herein contained are hereby repealed.'