

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)

EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 340

S. P. 331

In Senate, February 5, 1935.

Referred to Committee on Judiciary and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Burkett of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Creating the Portland Public Improvement Commission.

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

Sec. 1. Portland public improvement commission created. There is hereby created the Portland public improvement commission which shall be a body corporate and politic, having the same rights, privileges, and powers as a corporation organized under the general law. In addition, and except in so far as is inconsistent with the powers herein enumerated, with the right to adopt a common seal and establish by-laws and regulations for the management of its affairs not repugnant to its charter and the laws of this state, and with a principal place of business and office in Portland, Maine.

Sec. 2. Powers. The said corporation shall have the power to lay out and construct all manner of public improvements, including, without restricting the generality of the foregoing, public assembly halls for public recreation, exhibition halls and museums, parks, play grounds, athletic fields and buildings, swimming pools and other recreational facilities as public garages or parking areas, wharves, docks, boat anchorages, and other water-front improvements, and for that purpose to purchase these, hold, own, manage, control, mortgage, lease, or let buildings, real estate

and rights in real estate and all kinds of personal property and to accept the same by gift thereof in trust or otherwise.

Sec. 3. Management. Said construction shall be managed by a board of five directors who shall be appointed by the city council of the city of Portland, for terms of 5 years, except in the first appointment 1 director shall be appointed for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years, and 1 for 5 years. Said directors shall elect or appoint such officers and agents as they shall determine necessary for the transaction of the business of the corporation, subject to the approval of the said city council and they shall adopt such by-laws as shall be approved by said city council.

Sec. 4. Power to borrow money. The said corporation shall have the power to borrow money and issue notes, bonds or other evidences of indebtedness and to secure the payment thereof by mortgages, pledge or assignment of owner's property, including any revenue derived therefrom or for the use thereof, but said corporation shall not have the power to pledge the credit of the city of Portland.

Sec. 5. Collection and distribution of income. The corporation shall have the power to fix and receive by private contract, regularly established fees and revenues for the use, occupation or enjoyment of any of its property and shall devote the same exclusively to the management, replacement, construction or reconstruction, purchase, and general development of its property within the scope of its powers as herein defined, and shall render an account thereof annually to the city council, the summary of which shall be incorporated in the report published by the city of Portland.

Sec. 6. City of Portland not liable for any action. The city of Portland shall not be liable to any action, whether in tort or contract for any actions of the corporation, its directors, officers, or agents in the development, management, use and occupation or ownership of any of its property or in the conduct of its business or otherwise.

Sec. 7. Act not to affect authority of Portland park commission or port authority. This act shall not limit or affect in any way the authority conferred by law upon the park commission of the said city of Portland to let out and improve public parks, promenades, squares, cemeteries, and public grounds of said city, nor the authority conferred by law upon the port of Portland authority but the city of Portland and the port of Portland

authority is hereby authorized to grant to said corporation any property, rights or privileges that may reasonably be necessary or desirable for the carrying out of the purposes of this corporation and upon such consideration as may be mutually arranged by them.