

MAINE STATE LEGISLATURE

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NINETY - SECOND LEGISLATURE

Legislative Document

No. 828

S. P. 323

In the Senate, February 14, 1945.

Referred to the Committee on Legal Affairs in concurrence and ordered printed.

ROYDEN V. BROWN, Secretary

Presented by Senator Leavitt of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

An Act Creating the Greater Portland Public Development Commission.

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

Sec. 1. "Greater Portland Public Development Commission," created. There is hereby created "Greater Portland Public Development Commission," which shall be a body corporate and politic, having the same rights, privileges and powers as have corporations organized under the general law, in addition, and except insofar as inconsistent with the powers herein enumerated, with the right to adopt a common seal and to establish by-laws and regulations for the management of its affairs not repugnant to its charter and the laws of this state, and with its principal place of business located in greater Portland.

Sec. 2. Powers. The said corporation shall have the power to operate any business or facility which shall be for the common good of greater Portland in the opinion of the directors, in consultation with the elected officers of the various towns in said area and with the various chambers of commerce in said area including, without restricting the generality of the foregoing, the utilization of shipyards, wharfs, tractage, dry-docks, and all facilities in connection therewith, and for that purpose to purchase, lease, hold, own, manage, control, sell, mortgage, lease or let land, build-

ings, real estate and rights in real estate, and all manner of personal property, and to accept gifts thereof in trust, or otherwise.

Sec. 3. Management. Said corporation shall be managed by a board of 5 directors who shall be citizen residents of Cumberland county and who shall be appointed by the governor with the advice and consent of his council for a term of 5 years, except that in the first appointment one director shall be appointed for 1 year, one for 2 years, one for 3 years, one for 4 years, and one for 5 years. Said directors shall elect or appoint such officers and agents as they shall determine are necessary for the transaction of the business of the corporation.

Sec. 4. Power to borrow money. The said corporation shall have power to borrow money and issue notes, bonds, or other evidences of indebtedness, and to secure the payment thereof by mortgage, pledge or assignment of its properties, including any revenues derived therefrom, or from the use thereof, but said corporation shall not have power to pledge the credit of any other than its own organization.

Sec. 5. Collection and disposition of income. The corporation shall have power to fix and receive by private contract or regularly established fees, revenue for the use, occupation or enjoyment of any of its property, and shall devote the same exclusively to the management, repair, replacement, construction, and 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 governor and his council.

Sec. 6. Corporation alone liable. The state of Maine and/or towns in this said area shall not be liable to any action, either in tort or contract, for any acts 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.