

MAINE STATE LEGISLATURE

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NINETY - SECOND L E G I S L A T U R E

Legislative Document

No. 997

S. P. 390

In Senate, March 20, 1945.

Reported by Senator Batchelder of York from the Committee on Legal Affairs and laid on table to be printed under the Joint Rules.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

**AN ACT Amending "Act to Create the Port of Portland Authority" and
to Change the Name to Maine Port Authority.**

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

Sec. 1. P. & S. L., 1929, c. 114, § 1, amended. Section 1 of chapter 114 of the Private and special laws of 1925, as amended by chapter 5 of the private and special laws of 1941, is hereby further amended so that the 1st paragraph thereof shall read as follows:

“There is hereby created “~~Maine Port of Portland~~ Authority,” hereinafter referred to as the “Port Authority,” 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 to, and except in so far 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 a principal place of business and office in Portland, Maine.’

Sec. 2. P. & S. L., 1929, c. 114, § 6, amended. The 2nd paragraph of section 6 of chapter 114 of the private and special laws of 1929, as enacted by section 2 of chapter 77 of the private and special laws of 1943, is hereby amended to read as follows:

'The ~~Maine Port of Portland~~ Authority may take for public use, for its purposes, any property, right, easement, use, interest or estate in any wharf, dock, pier or site, including related approaches, abutments and appurtenances already appropriated to or charged with a public use, under the power of eminent domain ~~excluding all that portion of the waterfront of Portland harbor situated west, southwest, or south of a line drawn northwest and southeast through a point which is the center of Maple street in said Portland where said street joins or intersects the northerly line of Commercial street and projecting into the main harbor~~; but consideration shall be given to such existing public use and all reasonable efforts shall be made to interfere no more than may be reasonably necessary with the business, service or functions of the owner, operator, possessor or other person controlling, managing or operating such existing public use; provided, however, that no such property, right, easement, use, interest or estate already appropriated to or charged with a public use shall be taken without contract with or the consent of the owner, operator, possessor or other person controlling, managing or operating the same, unless and until the public utilities commission, after notice and hearing, shall have determined that such property, right, easement, use, interest or estate appropriated to or charged with a public use is necessary to said Authority for the purposes of this act, and that the taking by said Authority is in the public interest.'