

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 933

H. P. 1320.

House of Representatives, February 23, 1951.

Reference reconsidered. Referred to Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Woodcock of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Creating the Bangor Recreation Center.

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

Sec. 1. "Bangor Recreation Center" created. The inhabitants of and the territory within the city of Bangor, in the county of Penobscot shall be and hereby are constituted a body politic and corporate under the name of "Bangor Recreation Center" for the purpose, of acquiring property within said city of Bangor for recreational and municipal purposes, erecting, enlarging, repairing, equipping and maintaining on said property a building and related athletic, recreational and municipal facilities. Said district is hereby authorized to acquire land or buildings for said purposes by purchase, gift or lease and construct thereon, building or buildings for said purposes on land acquired as above. Property of said district shall be tax exempt.

Sec. 2. Trustees; terms, appointment; chairman and clerk of board. All the affairs of the district shall be managed by a board of 5 voting trustees, who shall be residents of said district, elected by the city council of the city of Bangor, and shall hold office as hereinafter provided and until their respective successors are appointed and qualified. Whenever

the term of office of a trustee expires, the city council of said Bangor shall elect a successor to serve the full term of 5 years and any other vacancy shall be filled in like manner for the unexpired term. When any trustee ceases to be a resident of said district, his office as trustee shall be declared vacant.

The chairman of the Bangor city council shall be a member ex officio of said board of trustees and chairman thereof without the power of vote. The 1st board of trustees shall be appointed to serve terms of 5, 4, 3, 2, and 1 years from the 1st Monday in January next following their appointment. Thereafter, members shall be elected to serve for a term of 5 years.

The city manager of the city of Bangor shall be the clerk of said board of trustees.

Sec. 3. Treasurer; qualifications and bond; seal and meeting place. The board of trustees shall, as soon as convenient after their appointment, meet at the call of the chairman. At the 1st meeting of the board of trustees, they shall elect a treasurer who shall not be a member of the Bangor city council and who shall give a bond approved by a majority of the trustees for the faithful performance of the duties of his office and shall receive such compensation as the trustees shall determine. Said trustees shall also provide a corporate seal and have an established place of business within said district. Members of the board of trustees shall serve without compensation.

Sec. 4. Assessment of taxes for purposes of district. Said district, by its trustees, is hereby authorized to raise and appropriate money by taxation upon the polls and estates within its corporate limits for the payment of its contracts, liabilities, obligations and incidental charges for interest; and said taxes shall be assessed by the assessors and collected by the collector of the city of Bangor in addition to other municipal taxes, and all funds received by any town official by virtue of this provision shall be paid to the treasurer of said district within 30 days from the date of collection.

Sec. 5. Bonds; term, interest and specifications. Said district, by its trustees, may issue its bonds or notes secured or unsecured for a term not exceeding 30 years, in such amount and of such denomination, not exceeding in the aggregate 3% of the valuation of said district, as the trustees of said district may determine, and said bonds or notes when authorized by vote of said district, signed by the treasurer and sealed with the corporate seal shall be legal obligations of said district, which is hereby

declared to be a quasi-municipal corporation within the meaning of section 132 of chapter 49 of the revised statutes of 1944 and all the provisions of said section shall be applicable thereto. Each bond and note shall have inscribed upon its face the words "Bangor Recreation Center" and shall bear interest at such rates as the trustees shall determine, payable semi-annually. Said bonds and notes shall be issued to mature serially. All notes and bonds issued by said district shall be signed by the treasurer and countersigned by the senior member of the board of trustees, and if coupon bonds be issued, each coupon shall be attested by a facsimile signature of the chairman of said city council and treasurer printed thereon. All bonds may be made callable at the discretion of the trustees of the district at any interest date.

Sec. 6. Bonds payable serially. All bonds or notes issued by said district shall become due and payable serially and the trustees of the said district shall annually provide by taxation or otherwise for the retirement of such sum or sums of money as may become due in any 1 year.

Sec. 7. Authorized to receive gifts, etc.; may lease buildings. Said trustees are hereby authorized to receive any gift of real estate which shall be described in a trust deed or the donation of any sum of money or other thing of value in trust, to be expended under the provisions of this act, and in every particular as if the same had been appropriated by said district for the purposes herein specified.

Said trustees shall have power to execute a term lease of any or all buildings upon premises satisfactory to the trustees.

Sec. 8. Referendum; effective date. This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the proposed district at a regular or special election called by the municipal officers of the city of Bangor and held at the regular voting places in said city. The result of such election shall be determined by said municipal officers; the 1st such election shall not be later than the 31st day of December, 1952. The usual procedure for registration and preparation of check lists shall be followed as in elections called and held as provided by law; provided, however, that the board of registration shall not be required to prepare for posting, nor the city clerk to post a new list of voters. The city clerk shall prepare the required ballots, on which he shall state the subject-matter of this act in the following question: "Shall the act creating the Bangor Recreation Center, passed by the 95th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the word "Yes" or "No"

their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; provided the total number of votes cast for and against the acceptance of this act equals or exceeds 20% of the total votes for all candidates for governor cast in the next previous gubernatorial election in said city. Failure of approval shall not prevent the municipal officers of said city of Bangor from again submitting said question to the voters of said district in the manner aforesaid. The result of such elections shall be declared by the municipal officers of the city of Bangor and due certificate thereof filed by the city clerk with the secretary of state.