

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1407

H. P. 983

House of Representatives, March 26, 1957.

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Totman of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Industrial Development in City of Bangor.

Emergency preamble. Whereas, industrial development is essential to the preservation and betterment of the economy of the city of Bangor and its inhabitants; and

Whereas, present opportunities for such development are limited under present conditions, and proposed imminent industrial development awaits the availability of an industrial area; and

Whereas, many citizens of said city of Bangor have urged the immediate enactment of a bill to provide for industrial expansion; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1931, c. 54, Art. VIII, additional. Chapter 54 of the private and special laws of 1931, as amended, is hereby further amended by adding thereto a new Article VIII, as follows:

'ARTICLE VIII.

Industrial Development.

Sec. 1. Industrial development. The city of Bangor is hereby empowered to acquire by purchase or lease or purchase and lease, or by the right of emi-

ment domain, lots, sites, improvements and places within the city of Bangor to be used for industrial development. The taking of real estate or any interest therein for the use of the city of Bangor for industrial park purposes by the right of eminent domain shall be effected as provided in sections 2, 3 and 4.

Sec. 2. Manner of taking. Whenever the public exigencies require it, the city council may adopt an order of taking for any land within the following described area, which shall contain a description of the land to be taken sufficiently accurate for its identification and shall state the interest therein taken and the purposes for which such property is taken.

Sec. 3. Area defined. The area in the city of Bangor within which the city of Bangor may take real estate or any interest therein for the use of the city of Bangor for industrial park purposes by right of eminent domain shall be as follows:

Beginning at a point formed by the intersection of the center line of the Odlin road and the easterly right-of-way line of the Maine Central Railroad; thence southerly along said easterly right-of-way line of the main line of the railroad to the town line between the city of Bangor and the town of Hampden; thence easterly along said town line to an angle point in said town line; thence southeasterly along said town line to a point which is 825.5 feet northerly from the northerly side line of Crosby street; thence northeasterly parallel to and 825.5 feet northerly from said northerly line of Crosby street to Thatcher street; thence crossing Thatcher street and continuing on the same straight line to the center line of the Main Street Industrial Spur; thence northwesterly by and along the center line of said Industrial Spur to the easterly side line of Thatcher street; thence northwesterly along the easterly side line of said Thatcher street to Webster avenue and continuing across said Webster avenue to the northwesterly side line of said Webster avenue; thence southwesterly by and along the northwesterly side line of said Webster avenue to the center line of the Main Street Industrial Spur; thence northwesterly along the center line of said Industrial Spur to the center line of Odlin road; thence southwesterly by and along the center line of said Odlin road to the point of beginning.

Sec. 4. Procedure. All proceedings under the provisions of sections 1, 2 and 3 shall be in accordance with the provisions of sections 12 to 22, inclusive, of chapter 52 of the Revised Statutes of 1954.

Sec. 2. Referendum; effective date. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters within the city of Bangor, voting at a regular or special election called and held for the purpose, by the municipal officers of the city of Bangor, to be held at the regular voting places in said city; the date of holding such election to be determined by said municipal officers. Such election shall be held not later than 8 months after the effective date of this act, and shall be called, advertised, and conducted according to the law relating to municipal elections; provided, however, that the board of registration shall not be required to prepare, nor the city clerk to post, a new list of voters. The city clerk shall reduce the subject matter of this act to the following question: "Shall the Act Relating to Industrial Development in City of Bangor, passed by

the 98th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "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 that the total number of votes cast for and against the acceptance of this act equals or exceeds 20% of the total votes cast for all candidates for Governor in said city of Bangor at the next previous gubernatorial election.

The result of the vote shall be declared by the city council of the city of Bangor and due certificate thereof filed by the city clerk with the Secretary of State. Failure of approval shall not prevent the municipal officers of said city of Bangor from again submitting said question to the voters of said city in the manner aforesaid.