

MAINE STATE LEGISLATURE

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HOUSE AMENDMENT "A" to HOUSE DOCUMENT
NO. 99.

SEVENTY-NINTH LEGISLATURE

House of Representatives Feb. 12, 1919.

Introduced by Mr. Wilson of Portland, tabled for printing pending its adoption and 500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Wilson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to provide for the election of Road Commissioners
by Towns.

Amend House Document No. 99 by striking out all of said
2 bill after the enacting clause and inserting in place thereof
3 the following:

Section 1. Section 16 of chapter 4 is hereby repealed and
2 the following enacted in place thereof.

'Section 16. Appointment of road commissioner; re-
2 moval; application of section.' Each town shall hereafter,
3 at its annual meeting, elect by major vote a road commis-
4 sioner, who shall hold his office for the term of one year

5 from the date of his election; except that any town may, at
6 its option, by vote at such meeting pursuant to an appro-
7 priate article in the warrant calling the same, instruct the
8 selectmen to appoint such road commissioner, in which case
9 the selectmen shall appoint as heretofore, and except,
10 further, that any town may, at its option, by vote at such
11 meeting pursuant to an appropriate article in the warrant
12 calling the same, fix the term of office of said road com-
13 missioner at a longer period, not to exceed three years. Any
14 town may at its option elect not more than three road com-
15 missioners, or require their appointment as aforesaid, whose
16 powers and duties shall be the same as prescribed for a
17 single commissioner. Any road commissioner may be re-
18 moved from office by the selectmen for inefficiency or other
19 cause. Upon written complaint made against any road com-
20 missioner by ten taxable inhabitants of the town, the select-
21 men after notice to such commissioner, shall hold a public
22 hearing thereon within ten days from the filing of the com-
23 plaint, and if the charges are sustained remove said commis-
24 sioner forthwith. Selectmen may act as road commissioner.
25 This section, except as to removal from office, shall not apply
26 to road commissioners chosen prior to the fifteen day of
27 July, nineteen hundred and nineteen, nor abridge their term
28 of office, but shall apply to their successors in office; nor
29 shall this section apply to cities and towns which choose
30 road commissioners under special acts of the legislature.'

Sect. 2. Section 17 of chapter 4 of the revised statutes

2 is hereby amended by inserting after the word "person," in
3 the first line thereof the words 'elected or,' so that said
4 section as amended shall read as follows :

'Sect. 17. Vacancies. If a person elected or appointed as
2 road commissioner fails to qualify within seven days after
3 appointment, the office shall be deemed vacant, and shall be
4 filled by the selectmen by appointment ; and in the event of a
5 vacancy caused by death or otherwise, the selectmen shall
6 appoint some competent person to fill out the unexpired
7 term, who shall qualify and perform the duties of said office..
8 If after the choice of any officer not required to be chosen
9 by ballot, there is a vacancy in any such office, the municipal
10 officers may fill such vacancies by the written appointment
11 of proper persons, who shall be summoned by the constable
12 to appear and take the oath of the office provided in section
13 27 subject to the penalties provided in section 28. Such
14 appointment and oath shall be recorded as in case of a
15 choice by the town. No person shall be so appointed with-
16 out his consent.'

Sect. 3. Section 14 of chapter 4 of the revised statutes is
2 hereby amended by inserting the words 'road commissioner'
3 after the word "auditor" in the second line thereof, so that
4 said section as amended shall read as follows :

'Sect. 14. Officers chosen by ballot. Moderator, town
2 clerk, selectmen, assessors and overseers of the poor, treas-
3 urer, auditor, road commissioner and school committee shall
4 be elected by ballot, and the other said officers by ballot, or
5 if not so elected, they shall be appointed by the selectmen.'