

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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**Private and Special Laws**

OF THE

**STATE OF MAINE**

As Passed by the One Hundredth Legislature

**1961**

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or the purchase of personal property used for school purposes in the municipality for which the Town of Fort Fairfield is liable at the time of the vote. Said district shall be managed pursuant to the Revised Statutes of 1954, chapter 41, by a board of school directors consisting of 5 persons to be elected by the residents of the district at a meeting for that purpose. The board of school directors shall be elected, subject to the acceptance of this act, by a plurality vote of the legal voters of the district, voting on one for a one-year term, 2 for 2-year terms and 2 for 3-year terms. At the expiration of each term the vacancy or vacancies shall be filled for 3-year terms.

This act shall not take effect unless accepted and approved by a majority vote of those voting on the following article at a legally called town meeting: "Shall the Act to incorporate the Town of Fort Fairfield as a school administrative district be accepted?"

The clerk of the Town of Fort Fairfield shall make a return to the Maine School District Commission, showing the number of total votes cast for and against the article submitted. If the Maine School District Commission finds that a majority of the residents of the Town of Fort Fairfield voting on the article submitted have voted in the affirmative, the commission shall make a finding to that effect and record the same in its records. The commission shall further assign a number and issue a certificate of organization to the district, which shall be the official title of the school administrative district. The certificate of organization shall be delivered by the Maine School District Commission to the district directors on the date set for the first meeting of the board of school directors. The district shall, within 90 days from the date of filing the returns with the Maine School District Commission, call a meeting to elect the board of school directors and the clerk shall forward the names of the directors elected and their respective terms of office. Upon receipt of the names of the directors, the Maine School District Commission shall set a date for the first meeting of the board of school directors. On the date so set, the school administrative district shall become operative and the directors shall assume the management and control of the operation of all the public schools within said district and after such date the Town of Fort Fairfield shall have no responsibility for the control or operation of the public schools within its jurisdiction. It is further understood that the school administrative district thus formed within the Town of Fort Fairfield will, at any future date, agree to willingly accept the Town of Easton as part of this district.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective May 26, 1961

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## Chapter 192

### AN ACT Amending Charter of City of Saco

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

Sec. 1. P. & S. L., 1953, c. 177, Art. III, § 7, amended. Section 7 of article III of chapter 177 of the private and special laws of 1953 is amended to read as follows:

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'Sec. 7. Salary. The salary and compensation of the mayor shall be ~~\$7,500~~ \$2,500 per year, which shall not be increased or diminished during his continuance in office, nor shall he receive any other compensation from the city for services rendered by him in any other capacity or agency including his duties as purchasing agent.'

Sec. 2. P. & S. L., 1953, c. 177, Art. III, § 10, additional. Article III of chapter 177 of the private and special laws of 1953 is amended by adding a new section to be numbered 10, to read as follows:

'Sec. 10. City engineer; appointment. The mayor, with the advice and consent of the city council, may appoint an engineer, to be known as the city engineer, for a term not exceeding 5 years. The qualifications, duties and salary shall be established by ordinance.'

Sec. 3. P. & S. L., 1953, c. 177, Art. IV, § 4, amended. Section 4 of article IV of chapter 177 of the private and special laws of 1953 is amended to read as follows:

'Sec. 4. Miscellaneous officers; election, tenure. It shall be the duty of the city council, immediately after their first organization, to elect by ballot all necessary city officers not otherwise specifically provided for in this charter, who shall hold their offices respectively for ~~± year, except as otherwise specifically enumerated herein~~ 2 years, unless sooner removed, or until others are chosen and qualified in their places.'

Sec. 4. P. & S. L., 1953, c. 177, Art. IV, § 15, amended. Section 15 of article IV of chapter 177 of the private and special laws of 1953 is amended to read as follows:

'Sec. 15. Compensation of aldermen. Each alderman shall receive the sum of ~~\$250 annually~~ \$500 for any and all services performed by him in his capacity. ~~\$100~~ One hundred dollars of said compensation shall be paid the 3rd Monday in each December he shall be in office, and \$100 at the pleasure of the individual alderman but not before July 1st of ~~the each year in which he shall be elected,~~ and ~~\$50~~ \$100 at the completion of said term. Each alderman shall forfeit the sum of \$10 for each regular or special meeting that he fails to attend; provided that any illness confining any alderman to his home and failure to attend not more than ~~3~~ 6 special meetings shall be excluded from said forfeiture. Said forfeiture shall be deducted from the compensation of said alderman. Members of the committee on accounts shall receive, in addition thereto, the sum of \$65 per year, payable semiannually.'

Sec. 5. P. & S. L., 1953, c. 177, Art. V, amended. Article V of chapter 177 of the private and special laws of 1953 is amended to read as follows:

'The city council may submit, on its own initiative, a proposition for the enactment, repeal or amendment of any ordinance, order or resolve (except as herein otherwise provided), to be voted upon at any ~~municipal~~ general or special election; and should such proposition receive a majority of the votes cast thereon at said election, such ordinance, order or resolve shall be enacted, repealed or amended accordingly.'

Upon completion of the 2nd reading of any ordinance, order or resolve, and the vote taken thereon, the city clerk shall at the request of any citizen of Saco

prepare a petition with the title and the ordinance, order or resolve at the top thereof, which he shall make available for any interested citizen to sign at the city clerk's office during the regular office hours.

If, before ~~the~~ any ordinance, order or resolve becomes effective as hereinbefore provided, at least 200 qualified voters of Saco shall sign the said petition, the ordinance, order or resolve shall immediately be suspended and the city council, upon their warrants for the next ~~annual~~ general or special election, shall provide for said ordinance, order or resolve to go to referendum. Upon a majority of the votes cast in the affirmative for ~~said~~ any ordinance, order or resolve, it shall take effect immediately.'

Sec. 6. P. & S. L., 1953, c. 177, Art. VI, § 1, amended. Section 1 of article VI of chapter 177 of the private and special laws of 1953, as amended by section 1 of chapter 81 of the private and special laws of 1959, is further amended to read as follows:

'Sec. 1. Mayor; aldermen. The mayor ~~and the members of the school board~~ shall be elected from the citizens at large by the inhabitants of the city, voting in their respective wards. One alderman shall be elected by each ward and shall be a resident in the ward where elected. All said officers shall be elected ~~by ballot~~ by a majority of the votes and shall hold their offices for ~~± year~~ 2 years from the first day in January following their election and until others shall be elected in their places; provided, however, that if the city shall be divided into less than 7 wards, then one or 2, as the case may be, of the aldermen shall be elected at large by the inhabitants of the city, the whole number of aldermen in no case to be more than 7, as provided in article II of this charter.'

Sec. 7. P. & S. L., 1953, c. 177, Art. VI, § 2, amended. The first 4 sentences of section 2 of article VI of chapter 177 of the private and special laws of 1953, as amended by section 2 of chapter 81 of the private and special laws of 1959, are further amended to read as follows:

'On the 2nd Monday in December, ~~annually~~ biennially, the qualified electors of each ward shall ballot for a mayor, one alderman, warden ~~and ward clerk~~ ~~and ± member of the school board~~. All the votes given for the said several officers, respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of persons voted for, and the number of votes given for each, to be written on the ward record at length. The ward clerk, within 24 hours after such election, shall deliver to the city clerk a certified copy of the record of such election; provided, however, that if the choice of alderman, warden or ward clerk, cannot be conveniently effected on that day, the meeting may be adjourned from day to day, but not more than one week from the election day, to complete such election. If on the 2nd balloting for any alderman, warden or ward clerk ~~or member of school board~~, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial shall be declared elected; if no one shall then have such highest number, the balloting shall continue from day to day until a choice is effected.'

Sec. 8. P. & S. L., 1953, c. 177, Art. VI, § 2, amended. The last sentence of the first paragraph of section 2 of article VI of chapter 177 of the private and special laws of 1953, as amended by section 3 of chapter 81 of the private and special laws of 1959, is further amended to read as follows:

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'The aldermen elect shall, on the first day of January, next after their election, at 7:30 P. M., assemble and the oath required by article II of this charter shall be administered to the members of the city council by the city clerk or any justice of the peace.'

Sec. 9. P. & S. L., 1953, c. 177, Art. VII, §§ 1 - 2, amended. Sections 1 and 2 of article VII of chapter 177 of the private and special laws of 1953 are amended to read as follows:

'Sec. 1. Superintending school committee; membership; term. The superintending school committee shall consist of 3 members ~~elect~~ ~~at large from the qualified voters of the city~~ appointed by the mayor, with the advice and consent of the city council, for a term of 3 years and until their successors are ~~elect~~ appointed and qualified. The superintending school committee shall elect one of their number as chairman. All regular meetings of the committee shall be open to the public. One member is to be ~~elect~~ appointed each year at the annual election, except as hereinafter provided in case of vacancies. ~~No person, however, shall be ineligible to membership on the superintending school committee on account of sex~~ Any member of the school board, serving before the ratification of this charter said superintending school committee at the time of passage of this act, shall complete his term on said ~~board~~ committee.

Sec. 2. Organization. The superintending school committee shall meet for organization on the first Tuesday in February, ~~following the regular city election annually~~. The ~~members elect~~ members appointed shall be sworn by a justice of the peace or the city clerk to ~~the~~ a faithful discharge of their duties, and a record ~~thereof~~ made thereof. A majority of the whole number ~~to be elect~~ shall be a quorum. The committee shall elect a chairman from among their number. The superintendent of schools shall be secretary of said committee.'

Sec. 10. P. & S. L., 1953, c. 177, Art. IX, § 1, amended. The last 2 sentences of the first paragraph of section 1 of article IX of chapter 177 of the private and special laws of 1953 are repealed.

Sec. 11. Effective date. This act shall take effect for all the purposes herein at the municipal election to be held the 2nd Monday of December, 1963 and all tenures shall commence January 1, 1964.

Referendum; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Saco at the next annual city election, or at any regular state-wide election held not less than 6 months nor more than 2 years after the date of approval of this act. Such election shall be called, advertised and conducted according to the law relating to municipal elections and as provided in the charter of the City of Saco. The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following questions:

1. Shall the act passed by the 100th Legislature to increase the mayor's salary be accepted?
2. Shall the act passed by the 100th Legislature authorizing the employment of a city engineer be accepted?

3. Shall the act passed by the 100th Legislature amending article V, which pertains to ordinances, orders and resolves be accepted?
4. Shall the act passed by the 100th Legislature providing for a 2 year term for city officials be approved?
5. Shall the act passed by the 100th Legislature providing for the appointment of members of the superintending school committee be approved?
6. Shall the act passed by the 100th Legislature eliminating equal serial installments as to principal payment upon bonds or notes be approved?
7. Shall the act passed by the 100th Legislature eliminating the necessity for an annual tax levy to meet installment payments on bonds or notes be approved?

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; but only if the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 30% of the total vote for all candidates for Governor cast in said city at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the City of Saco and due certificate thereof filed by the city clerk with the Secretary of State.

Effective September 16, 1961

## Chapter 193

### AN ACT Permitting St. Francis College to Confer Honorary Degrees.

**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the following legislation is vitally necessary in order to permit St. Francis College to confer honorary degrees at its coming commencement in June 1961; 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:*

**P. & S. L., 1953, c. 123, § 2, amended.** Section 2 of chapter 123 of the private and special laws of 1953 is amended to read as follows: