

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 995

S. P. 330

In Senate, January 31, 1963

Referred to Committee on Municipal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Cyr of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Town Manager Form of Government.

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

R. S., c. 90-A, §§ 41 and 42, amended. Sections 41 and 42 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, are amended to read as follows:

'Sec. 41. Town manager form of government. A town may adopt the town manager form of government at a meeting held at least 60 days before the annual meeting.

I. Offices manager to hold. At the time of adoption, the ~~town may selectmen shall~~ determine which offices the manager is to hold ~~or may delegate that power to the selectmen.~~

A. A manager may not be a moderator, selectman, assessor or member of the school committee.

B. ~~When a town has determined the offices which its manager is to hold, the~~ The selectmen shall appoint ~~him~~ the manager annually to each ~~of these offices~~ office.

H. ~~Changes in the original determination of the offices which the manager is to hold may be made at a meeting held at least 60 days before the annual meeting.~~

III. II. Duration of form of government. Once adopted, the town manager form of government remains **effective in effect** until revoked at a meeting held at least 60 days before the annual meeting.

~~IV.~~ The manager shall be chosen by the selectmen on the basis of his executive and administrative qualifications.

~~V.~~ III. Compensation of manager. The town may selectmen shall fix the compensation of the manager or may delegate that power to the selectmen.

~~VI.~~ IV. Removal of manager. The manager may be removed for cause by the selectmen.

A. The selectmen shall file with the town clerk a written preliminary resolution setting forth the specific reasons for the proposed removal, a copy of which shall be delivered to the manager within 10 days of filing.

B. The manager may within 20 days of receiving the resolution reply in writing and may request a public hearing.

C. Upon request for a public hearing the selectmen shall hold one not earlier than 10 days after the request is filed nor later than 30 days.

D. After the public hearing, or at the expiration of the time permitted the manager to request the public hearing, if no such request is made, the selectmen may adopt or reject the resolution of removal.

E. The selectmen may suspend the manager from duty in the preliminary resolution, but in no event shall the manager's salary be affected until the final resolution of removal has been adopted.

Sec. 42. Manager's powers and duties. The manager, as administrative head of the town government, is responsible to the selectmen for the administration of all departments over which selectmen have control.

I. Powers and duties. Where not otherwise provided by the town, his powers and duties are as follows:

A. To see that the law is enforced.

B. To exercise control over all departments and divisions in the town except the board of selectmen, assessors, school committee and election officials.

C. The selectmen shall designate the offices for which the manager is responsible. The manager shall appoint qualified persons to such offices who shall be responsible to the manager and serve at his pleasure.

~~B.~~ D. To act as purchasing agent for all departments except the school department.

i. The selectmen may require purchases involving more than \$100 to be submitted to bid.

~~C.~~ E. To attend the meetings of the selectmen, except when his removal is being considered, and to make recommendations for the more efficient operation of the town government.

~~D.~~ F. To keep the selectmen and residents of the town informed as to its financial condition.'