

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 669

H. P. 516

House of Representatives, January 27, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mr. Lund of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Amending the Charter of the City of Augusta.

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

Sec. 1. P. & S. L., 1957, c. 169, Art. II, § 7, amended. Section 7 of Article II of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'Sec. 7. Procedure. The council shall keep a record of its proceedings and shall be the judge of the qualification and election of its own members. The council may determine its own rules of procedure and punish members for misconduct. The meetings of the council shall be open to the public. The council shall act only by ordinance, order or resolve; and all ordinances, orders and resolves, except resolves making appropriations, shall be confined to one subject ~~which shall be clearly expressed in the title.~~ The appropriation resolves shall be confined to the subject of appropriations. No ordinance and no appropriation resolve shall be passed until it has been read on 2 separate days, except when the requirement of a reading on 2 separate days has been dispensed with by a $\frac{3}{4}$ vote of the ~~voting~~ members of the council **present and voting**. The yeas and nays shall be taken on the passage of all ordinances and entered on the record of the proceedings of the council by the clerk. The yeas and nays shall be recorded on the passage of any order or resolve when called for by any member of the council. Every ordinance shall require on final passage the affirmative vote of a majority of the ~~voting~~ members of the council **present and voting**. Every ordinance before final passage shall be posted, marked "Proposed Ordinance," at the city hall and shall take effect and be in full force 30 days from and after it shall have received final passage by the city council. Within 15 days after final passage said ordinance shall be published in one or more of the newspapers circulated in Augusta.

No order or resolve shall take effect until 10 days after its passage except that the city council may by vote of $\frac{3}{4}$ ths of its members pass emergency orders or resolves to take effect at the time indicated therein but such emergency orders or resolves shall contain a section in which the emergency is set forth and defined.'

Sec. 2. P. & S. L., 1957, c. 169, Art. IV, § 4, amended. The 5th sentence of section 4 of Article IV of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'The city council shall have the power to raise moneys for the support of public schools in said city and shall appropriate for the current year ending on the 31st day of December such sum, not less than the amount required by the general laws of the State, as they may deem necessary for that purpose, **which sum may be divided into reasonable major budget categories.**'

Sec. 3. P. & S. L., 1957, c. 169, Art. VI, § 1, subsection (b), ¶ 14, amended. Paragraph 14 of subsection (b) of section 1 of Article VI of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'14. All other department heads **and boards** now existing, or which may be appointed, established through ordinance and resolve.'

Sec. 4. P. & S. L., 1957, c. 169, Art. IV, § 2, amended. The 3rd paragraph of section 2 of Article IV of chapter 169 of the private and special laws of 1957, as enacted by section 2 of chapter 148 of the private and special laws of 1959, is amended by adding after the 2nd sentence, a new sentence, as follows:

At the 1966 regular municipal election the members from wards 1, 3, 5 and 7 shall be elected to serve until the first Monday of January, 1969 or until their successors are elected and qualified; at the 1968 regular municipal election the members from wards 2, 4, 6 and 8 shall be elected to serve until the first Monday of January, 1971 or until their successors are elected and qualified.

Referendum; effective date; 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 Augusta at a special election called and held for the purpose or at a regular election of the city. Such special or regular election shall be held not later than December 31, 1966. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections: provided that the board of registration in said city shall not be required to prepare for posting, nor the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special election, the first and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions.

The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Amending the Charter of the City of Augusta, passed by the 102nd Legislature, be ac-

cepted?" 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 purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act at said election equals or exceeds 20% of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Augusta and due certificate filed by the city clerk with the Secretary of State.