

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 140

H. P. 113

House of Representatives, January 18, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hinds of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Clarify the Charter of the City of South Portland.

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

Sec. 1. P. & S. L., 1963, c. 162, Art. II, § § 230, 231, additional. Article II of chapter 162 of the private and special laws of 1963 is amended by adding 2 new sections, 230 and 231, to read as follows:

230. Compensation of officers and employees. The city council shall fix by order the salaries of the appointees of the council. Salaries of the appointees of the city manager shall be fixed by the city manager subject to the approval of the city council.

231. Legal department. The council shall appoint for an indefinite term a corporation counsel who shall be head of the city's legal department and perform such duties as pertain thereto. Corporation counsel shall serve at pleasure of city council.

Sec. 2. P. & S. L., 1963, c. 162, Art. IV, § 414, repealed. Section 414 of Article IV of chapter 162 of the private and special laws of 1963 is repealed.

Sec. 3. P. & S. L., 1963, c. 162, Art. IV, § 416, amended. Section 416 of Article IV of chapter 162 of the private and special laws of 1963 is amended to read as follows:

416. Emergency appropriations. At any time in any budget year, the council may, pursuant to this section, make emergency appropriations to meet a pressing need for public expenditure to protect the public health, safety or welfare. Such appropriations shall be by resolution adopted by the favorable vote of at least 4 of the members of the council and shall be made only upon recommendation of the city manager. The total amount of all emergency appropriations made

in any budget year shall not exceed 3% of the total operating appropriations made in the budget for that year, except upon recommendation of the city manager and approval by unanimous vote of all the members of the council.

Sec. 4. P. & S. L., 1963, c. 162, Art. V, § 509, amended. Section 509 of Article V of chapter 162 of the private and special laws of 1963 is amended to read as follows:

509. Date of final adoption; failure to adopt; provision for expenditures until adopted. The budget shall be finally adopted not later than ~~60~~ 90 days after the beginning of the fiscal year. Should the council take no final action on or prior to such date, the budget, as submitted, shall be deemed to have been finally adopted by the council. Before the budget has been adopted, the city council may make appropriation for current departmental expenses, chargeable to the budget for the year, when passed, to an amount sufficient to cover the necessary expenses of the various departments until the annual budget is in force.

Sec. 5. P. & S. L., 1963, c. 162, Art. X, § 1006, amended. Section 1006 of Article X of chapter 162 of the private and special laws of 1963 is amended to read as follows:

1006. Filing nomination papers; acceptances of nominations must be filed. The nomination petitions for any one candidate shall be assembled and united into one petition and filed with the city clerk not earlier than ~~30~~ 40 nor later than ~~46~~ 26 calendar days before the day of election. No nomination shall be valid unless the candidate shall file with the city clerk in writing not later than ~~46~~ 26 calendar days before the day of election, his consent, accepting the nomination, agreeing not to withdraw, and, if elected, to qualify.