

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
103rd LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 800, L.D. 1209, Bill, "An Act Providing for a Council-Manager Form of Government for Town of Skowhegan."

Amend said Bill in Article II by striking out in the first line of that part designated "Sec. 201" (same in L.D. 1209) the underlined words "Powers and duties" and inserting in place thereof the underlined words 'General powers'; and by striking out all of the 2nd and 3rd paragraphs (same in L.D. 1209)

Further amend said Bill in Article II by adding at the end of that part designated "Sec. 202" the following:

'Notwithstanding the provisions of this section for the election of the town council from the entire town, provisions for election of the council from representative districts or by any combination to be elected at large and from representative districts, may be made by ordinance and submission to a referendum to be acted upon by the qualified voters of the town, and if accepted by a majority of the legal voters voting at said referendum shall take effect as provided in said ordinance.

The result of the vote shall be declared by the municipal officers and due certificates thereof shall be filed by the town clerk with the Secretary of State.

Any ordinance under this section may, after publication and hearing thereon as provided for the enactment of ordinances under this charter, be submitted by the municipal officers to the voters with the submission of this Act.'

Further amend said Bill in Article II by adding at the end of that part designated "Sec. 204" the following paragraph:

'All other powers now or hereafter vested in the inhabitants of said town, and all powers granted by this charter, except as herein otherwise provided, shall be vested in said town council.'

Further amend said Bill in Article II by striking out all of subsection II of that part designated "Sec. 205" and inserting

(Over)

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in place thereof the following:

'II. Appoint the members of the board of assessment review, the planning board and the zoning board of appeals.'

Further amend said Bill in Article II by striking out in the first line of subsection IV of that part designated "Sec. 205" (same in L.D. 1209) the words and punctuation "ordinances; included" and inserting in place thereof the following: 'ordinances, governed by the authority which municipal authorities have to enact ordinances under the Revised Statutes and amendments thereto. Included'

Further amend said Bill in Article II by striking out in the 5th line of that part designated "Sec. 206" (4th line in L.D. 1209) the word "elected" and inserting in place thereof the word 'appointed'

Further amend said Bill in Article II by striking out all of that part designated "Sec. 208" and inserting in place thereof the following:

'Sec. 208. Forfeiture of office. Any member of the council who shall be convicted of a felony, or of a misdemeanor involving moral turpitude while in office shall, after due notice and hearing before the council and the production of records of such conviction, forfeit his office.'

Further amend said Bill in Article II by striking out in the last 2 lines (last line in L.D. 1209) of that part designated "Sec. 209" the words and figures "1964, Title I, sections 401 to 406" and inserting in place thereof the word 'Maine'

Further amend said Bill in Article III by striking out all of the first sentence of that part designated "Sec. 301" (same in L.D. 1209) and inserting in place thereof the following:

'The council shall appoint a town manager.'

Further amend said Bill in Article VII by striking out all of that part designated "Sec. 703" (same in L.D. 1209) and inserting in place thereof the following:

'Sec. 703. Zoning board of appeals. There shall be a zoning board of appeals which shall be appointed, have such powers and perform such duties as are provided by the laws of the State of Maine.'

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Further amend said Bill in Article VIII by striking out all of the last sentence of that part designated "Sec. 801" (same in L.D. 1209) and inserting in place thereof the following:

'The council may, by resolution, order special elections at any time to fill vacancies in the town council as provided in section 212, or to fill vacancies in the offices of town clerk and town treasurer. Vacancies in directors of the School Administrative District shall be filled as provided by law.'

Further amend said Bill in Article VIII by inserting after the words "management of" in the 4th line of that part designated "Sec. 803" (same in L.D. 1209) the word 'municipal'

Further amend said Bill in Article X by striking out in the 2nd line of that part designated "Sec. 1002" (same in L.D. 1209) the figure "100" and inserting in place thereof the figure '1001'; and by striking out in the 17th line (13th line in L.D. 1209) the figure "400" and inserting in place thereof the words and figure '10% of the'

Further amend said Bill in Article XI by inserting after the word "Every" in the first line of that part designated "Sec. 1106" (same in L.D. 1209) the words 'elected and appointed'

Further amend said Bill in Article XI by striking out all of that part designated "Sec. 1108" and inserting in place thereof the following:

'Sec. 1108. Personnel system. A personnel policy shall be prepared by the council and enacted by ordinance which shall, subject to the provisions of this charter, provide for:

I. The recruitment, employment, appointment and promotion of all town officers and employees, and their removal for cause.

II. The classification of all town positions, with adequate provisions for reclassification of any position whenever warranted by changed circumstances.

III. A wage or salary plan for all town positions.

IV. Policies and procedures regulating reduction in force and the removal of employees.

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V. The assignment of duties and regulation of hours of work, provision for sick leave, annual leave, leave of absence and holidays.

VI. Policies and procedures governing provisional, temporary, probationary and emergency appointments and employment.

VII. Policies and procedures governing relationship with employee organizations.

VIII. Policy regarding in-service training programs.

IX. Policies regarding the suspension, demotion, removal, separation, discharge and promotion of officers and employees and grievance procedures in connection therewith.

X. Other practices and procedures necessary or desirable to the administration of the town personnel system, such as health and safety programs. ' 1

Reported by the Committee on Legal Affairs.

Reproduced and distributed under the direction of the Clerk of the House.

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