

# MAINE STATE LEGISLATURE

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**The only known  
published copy of  
Amendment H-274  
is incomplete.**

**The first six pages  
that follow are  
a complete draft  
taken from the  
Enacted Law file  
at the Maine State Archives  
(PL 1967, c. 349).**

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amendment.**

D. OF R.

# ORIGINAL

HOUSE AMENDMENT "A" to H. P. 945, L. D. 1385, Bill, "An Act Providing for a New Charter for the City of Waterville."

Amend said Bill by striking out all of the last sentence of section 2 of Article I and inserting in place thereof the following:

'The mayor shall be aided by an administrator who, in the performance of his duties, shall be responsible to the mayor.'

Further amend said Bill by striking out all of the caption of Article II which now reads "The Mayor; the Administrative Assistant" and inserting in place thereof the following 'The Mayor and <sup>the</sup> Administrator'

Further amend said Bill by striking out all of the first sentence of subsection V of section 5 of Article II and inserting in place thereof the following:

'Exercise directly, or with the assistance of the administrator, supervision of all of the executive and administrative work of the city and provide for the coordination of administrative activities.'

Further amend said Bill by striking out all of subsection VI of section 5 of Article II and inserting in place thereof the following:

'VI. Appoint the administrator with the consent of the council.'

Further amend said Bill by striking out all of sections 6 and 7 of Article II and inserting in place thereof the following:

Sec. 6. Administrator. The administrator shall be chosen

for an indefinite term, as provided in subsection VI of section 5, on the basis of his character, executive and administrative qualifications and experience and his technical knowledge of municipal management.

~~He shall be chosen as provided in subsection II of section 5 for an indefinite term.~~ The administrator shall be the mayor's principal assistant. Should the mayor fail to appoint an administrator within 90 days of the effective date of this charter, or within 90 days of the occurrence of any vacancy in the position, the council shall make the appointment of an individual meeting the qualifications set forth in this charter. The mayor may assign any other officer or employee of the city to perform the duties of the administrator during the vacancy of that office or absences or disability of that officer. The administrator shall, during his tenure of office, reside within the city.

Sec. 7. Salary of administrator. The appointed administrator shall be paid a salary of an amount to be fixed by the mayor with the approval of the council. The council shall not decrease the salary of any incumbent administrator.'

Further amend said Bill by striking out all of the first paragraph of section 8 of Article II (including the headnote) and inserting in place thereof the following:

'Sec. 8. Powers and duties of administrator. The administrator under the supervision of the mayor and subject to direction by the mayor, shall:'

Further amend said Bill by striking out all of subsections VIII and IX of section 8 of Article II and inserting in place

thereof the following:

set (VIII. Attend all meetings of the council unless excused by the council, and make available such information as it may require.

IX. Perform all other duties required of him by this charter, or by ordinance, or assigned to him in writing by the mayor. The mayor, by prior written notice directed to the administrator, may relieve the administrator of any duties, powers or responsibilities granted him by the terms of this charter. Such written notice, signed by the mayor, shall be filed with the city clerk as a document of public record.'

Further amend said Bill by striking out all of section 9 of Article II and inserting in place thereof the following:

'Sec. 9. Limitation of political activity of administrator.'

set The administrator is forbidden to use his official authority or influence for the purpose of interfering with an election or a nomination for municipal office or affecting the result thereof, or directly or indirectly to coerce, attempt to coerce, command or advise any other appointed municipal officer or servant or employee, to pay, lend or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency or person for political purposes. The administrator is forbidden to make any such contributions for political purposes. The administrator is forbidden to take any active part in political management or in political campaigns.

The sole grounds for removal of the administrator and his discharge from office by the council shall be the finding by the council, based on due proof submitted to the council upon a public hearing held upon notice for the purpose, that the administrator has violated these terms of the charter restricting his political activity, or for other cause.'

Further amend said Bill by striking out all of subsections VI and IX of section 7 of Article III and inserting in place thereof the following :

'VI. Confirm, by a majority vote, all appointments made by the mayor to such boards or commissions and the appointment of the city solicitor, the city auditor and the city clerk.

IX. Authorize, by ordinance, executive and administrative officers of the city to make contracts involving less than \$500 pursuant to duly enacted appropriation orders.'

Further amend said Bill by striking out all of the first 2 paragraphs of section 2 of Article IV and inserting in place thereof the following:

'Each department shall be headed by a director or appropriate city officer, who shall have control and direction of the department, subject to the general supervision of the administrator. The head of each department shall, with the approval of the administrator, have the power to appoint and remove all officers and employees of the department, subject to the civil service provisions of this charter.

Two or more departments may be headed by the same individual,

and the administrator may head one or more departments, provided that one officer always be designated as city clerk and one officer as tax assessor, who may or may not be heads of departments.'

Further amend said Bill by striking out all of section 4 of Article IV and inserting in place thereof the following:

'Sec. 4. Tax assessor and board of assessment review. There shall continue to be under the provisions of this charter a tax assessor and a board of assessment review as provided in the private and special laws of 1887, chapter 195, sections 8-B to 8-G, as enacted by section 2 of chapter 146 of the private and special laws of 1957.'

Further amend said Bill by striking out all of the 3rd sentence of section 6 of Article IV and inserting in place thereof the following:

'He shall audit and approve all bills, invoices, payrolls and other evidences of claims, demands or charges against the city government.'

Further amend said Bill by striking out all of the first sentence of section 1 of Article VI and inserting in place

thereof the following:

'There shall be a department of finance, the head of which shall be the director of finance, who shall be, or be appointed by, the administrator.'

Further amend said Bill in subsections I, II and III of section 5 of Article VI by striking out the figure "\$1,000" wherever it appears, and inserting in place thereof the figure '\$500'

Further amend said Bill by striking out all of subsection V of section 5 of Article VI and inserting in place thereof the following:

'V. Contracts shall be awarded only after authorization by the council.'

\* Further amend said Bill by striking out in the last line of section 1 of Article VIII the figure "\$1,000" and inserting in place thereof the figure '\$500'

Further amend said Bill by inserting after the enacting clause the following:

'Sec. 1. New charter for the City of Waterville.'

Further amend said Bill by adding at the end the following:

'Sec. 2. P. & S. L., 1887, c. 195, §8-A, amended. The last 3 sentences of section 8-A of chapter 195 of the private and special laws of 1887, as enacted by section 2 of chapter 146 of the private and special laws of 1957, are repealed and the following enacted in place thereof:

The mayor, with the advice of the assessor, shall appoint, subject to confirmation by the city council, an assistant assessor in each ward. An assistant assessor shall serve until resignation or removal for cause, by the city council. The salaries of the assessor and assistant assessors shall be fixed by the city council but, in the case of the tax assessor, shall not be reduced during his tenure in office.'

IN SENATE CHAMBER  
READ AND ADOPTED

NAME:

(Carey)

*[Handwritten signature]*

HOUSE OF REPRESENTATIVES  
READ AND ADOPTED

TOWN: Waterville

MAY 16 1967  
IN CONCURRENCE

BERROLD B. SPEERS  
SECRETARY

MAY 15 1967

SENT UP FOR CONCURRENCE

IN HOUSE  
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Filed by Mr. Carey of Waterville.

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

(Filing No. H-274)

5/11/67