

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 895

H. P. 695

House of Representatives, February 19, 1969

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Bedard of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT to Amend the Charter of the City of Saco.

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

Sec. 1. P. & S. L., 1953, c. 177, Art. III, § 7, repealed and replaced. Section 7 of article III of chapter 177 of the private and special laws of 1953 is repealed and the following enacted in place thereof:

Sec. 7. Salary. The salary and compensation of the mayor shall be \$3,500 per year, which shall not be increased or diminished during his continuance in office, nor shall he receive any other compensation from the city for services rendered by him in any other capacity or agency including his duties as purchasing agent.

Sec. 2. P. & S. L., 1953, c. 177, Art. IV, § 4, repealed and replaced. Section 4 of article IV of chapter 177 of the private and special laws of 1953 is repealed and the following enacted in place thereof:

Sec. 4. Miscellaneous officers; election, tenure. It shall be the duty of the city council, immediately after their first organization, to elect by ballot all necessary city officers not otherwise specifically provided for in this charter, who shall hold their offices respectively for 2 years, unless sooner removed, or until others are chosen and qualified in their places.

Sec. 3. P. & S. L., 1953, c. 177, Art. IV, § 15, repealed and replaced. Section 15 of article IV of chapter 177 of the private and special laws of 1953 is repealed and the following enacted in place thereof:

Sec. 15. Compensation of aldermen. Each alderman shall receive the sum of \$300 annually for any and all services performed by him in his

capacity. One hundred dollars of said compensation shall be paid the first Monday in April, and \$100 at the pleasure of the individual aldermen but not before July 1st of each year he shall be in office, and \$100 at the completion of each year of said term. Each alderman shall forfeit the sum of \$10 for each regular or special meeting that he fails to attend; provided that any illness confining any alderman to his home and failure to attend not more than 3 special meetings shall be excluded from said forfeiture. Said forfeiture shall be deducted from the compensation of said alderman. Members of the committee on accounts shall receive, in addition thereto, the sum of \$65 per year, payable semiannually.

Sec. 4. P. & S. L., 1953, c. 177, Art. VI, § 1, repealed and replaced. Section 1 of article VI of chapter 177 of the private and special laws of 1953, as amended by section 1 of chapter 81 of the private and special laws of 1959, is repealed and the following enacted in place thereof:

Sec. 1. Mayor; aldermen. The mayor and the members of the superintending school committee shall be elected from the citizens at large by the inhabitants of the city, voting in their respective wards. One alderman shall be elected by each ward and shall be a resident in the ward where elected. All said officers shall be elected by ballot by a majority of the votes and the mayor and aldermen shall hold their offices for 2 years from the first day in January following their election and until others shall be elected in their places; provided, however, that if the city shall be divided into less than 7 wards, then one or 2, as the case may be, of the aldermen shall be elected at large by the inhabitants of the city, the whole number of aldermen in no case to be more than 7, as provided in article II of this charter.

Sec. 5. P. & S. L., 1953, c. 177, Art. VI, § 2, amended. The first 4 sentences of section 2 of article VI of chapter 177 of the private and special laws of 1953, as amended, are repealed and the following enacted in place thereof:

On the 2nd Monday in December, biennially, the qualified electors of each ward shall ballot for a mayor, one alderman, warden, ward clerk and 2 members of the superintending school committee. All the votes given for the said several officers, respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of persons voted for, and the number of votes given for each, to be written on the ward record at length. The ward clerk, within 24 hours after such election, shall deliver to the city clerk a certified copy of the record of such election; provided however, that if the choice of alderman, warden, ward clerk or members of the superintending school committee cannot be conveniently effected on that day, the meeting may be adjourned from day to day, but not more than one week from the election day, to complete such election. If on the 2nd balloting for any alderman, warden or ward clerk or members of the superintending school committee, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial shall be declared elected; if no one shall then have such highest number, the balloting shall continue from day to day until a choice is effected.

Sec. 6. P. & S. L., 1953, c. 177, Art. VII, §§ 1 - 2, repealed and replaced. Sections 1 and 2 of article VII of chapter 177 of the private and special laws of 1953 are repealed and the following enacted in place thereof:

Sec. 1. Superintending school committee; membership; term. The superintending school committee shall consist of 3 members elected at large from the qualified voters of the city for a term of 3 years and until their successors are elected and qualified. The superintending school committee shall elect one of their number as chairman. All regular meetings of the committee shall be open to the public. Two members are to be elected biennially, except as hereinafter provided in case of vacancies, one to take office on January 1st next following said election and one to take office on January 1st of the following year. No person, however, shall be ineligible to membership on the superintending school committee on account of sex. Any member or members of said superintending school committee serving on the effective date of this section shall complete their respective terms on said committee.

Sec. 2. Organization. The superintending school committee shall meet for organization on the first Tuesday following the first Monday of January. The members-elect shall be sworn by a justice of the peace or the city clerk to the faithful discharge of their duties, and a record thereof made. A majority of the whole number shall be a quorum. The committee shall elect a chairman from among their number. The superintendent of schools shall be secretary of said committee.

Sec. 7. P. & S. L., 1953, c. 177, Art. X, § 9, repealed and replaced. Section 9 of article X of chapter 177 of the private and special laws of 1953 is repealed and the following enacted in place thereof:

Sec. 9. Effective date. This act shall take effect for all the purposes herein at the municipal election to be held the 2nd Monday of December, 1970 and all tenures shall commence January 1, 1971.

Referendum; 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 Saco at the next annual city election, or at any regular state-wide election held not less than 6 months nor more than 2 years after the effective date of this Act. Such election shall be called, advertised and conducted according to the law relating to municipal elections and as provided in the charter of the City of Saco. The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following questions:

1. Shall the Act passed by the 104th Legislature to increase the mayor's salary to \$3,500 be approved?
2. Shall the Act passed by the 104th Legislature providing for a 2-year term for city officials be approved?
3. Shall the Act passed by the 104th Legislature to increase compensation of aldermen from \$250 to \$300 annually be approved?
4. Shall the Act passed by the 104th Legislature providing for appointment and organization of members of the superintending school committee be approved?

and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" opposite each question their opinion of the same.

The provisions of this Act, as they relate to each question, shall become effective only if the majority of the votes cast by the legal voters of said city is in favor of the acceptance of such question; provided that the total number of votes cast for and against the acceptance of each question at said election equals or exceeds 20% of the total vote for all candidates for Governor cast in said city at the next previous gubernatorial election.

The result of the vote on each question shall be declared by the municipal officers of the City of Saco and due certificate thereof shall be filed by the city clerk with the Secretary of State.