

MAINE STATE LEGISLATURE

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FIFTY-NINTH LEGISLATURE.

HOUSE.

No. 115.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY.

AN ACT to amend the public statutes as required by the amendment to the constitution, providing for biennial elections and biennial sessions of the legislature.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. Section eighteen of chapter two of 2 the revised statutes, is hereby amended by striking 3 out the words "each year" in the first line thereof, 4 and inserting instead thereof the words "at each ses- 5 sion of the legislature;" and also by striking out 6 the word "sixty-nine" in the second line thereof, 7 and inserting instead thereof the word "eighty- 8 one."

SECT. 2. Section twenty-one of the same chapter

2 is hereby amended by striking out the word
3 “annually” in the second line thereof.

SECT. 3. Section forty-two of the same chapter
2 as amended by chapter one hundred of the public
3 laws of the year one thousand eight hundred and
4 seventy-six, is hereby further amended by inserting
5 after the word “year,” in the fifth line of said
6 amended section as recited in said last named
7 chapter, the words “in which any election is held
8 of which returns are required to be made to the
9 office of the secretary of state.”

SECT. 4. Section forty-five of the same chapter
2 is hereby amended by striking out the words
3 “Wednesday of January annually,” in the tenth
4 line thereof, and inserting instead thereof the
5 words “day of each regular session of the legisla-
6 ture.”

SECT. 5. Section fifty of the same chapter is
2 hereby amended by striking out the word “annual”
3 in the first line thereof.

SECT. 6. Section fifty-two of the same chapter is
2 hereby amended by striking the word “legislature”
3 out of the fourth line, and inserting in the place
4 thereof the words “governor and council.”

SECT. 7. Section sixty-six of the same chapter
2 is hereby amended so as to read as follows:

3 *Sect. 66.* He shall annually on the first Wednes-
4 day in January, lay before the governor and coun-
5 cil a printed detailed account of the state of the
6 treasury, distinguishing in the receipts and expen-
7 ditures the sums due at the close of the preceding
8 year, from those that became due during the cur-
9 rent year, and what sums are due to and from the
10 treasury, and the resources of the state for the en-
11 suing year. The governor and council shall lay
12 such accounts before the legislature at each regular
13 session on the first Monday thereof.

SECT. 8. Section seventy-two of the same chap-
2 ter is hereby amended by striking out the word
3 "annually" in the first line thereof, and inserting
4 instead thereof the word "biennially."

SECT. 9. Section eighty-two of the same chapter
2 is hereby amended by striking out the word "five"
3 in the first line thereof, and inserting instead there-
4 of the word "ten;" and also by striking out the
5 word "annually" in the same line, and inserting in
6 place thereof the word "biennially."

SECT. 10. Sections one, two and three of chapter
2 four of the revised statutes, are hereby amended
3 by inserting the words "in which an election of
4 governor, senators and representatives is held,"

5 after the words "in each year," whenever they
6 occur in said sections.

SECT. 11. Section four of the same chapter, is
2 hereby amended by striking out the word "an-
3 nually," in the first line thereof, and inserting
4 instead thereof the words "in each year in which
5 an election of governor, senators and representa-
6 tives is held."

SECT. 12. Section seventeen of the same chapter
2 is hereby amended by striking out the word
3 "annually," in the fourth line thereof, and insert-
4 ing instead thereof the word "biennially."

SECT. 13. Section seventy-three of the same
2 chapter is hereby amended by striking out the
3 "annually" in the first line thereof, and inserting
4 instead thereof the words "in each year which an
5 election of governor, senators and representatives
6 is held."

SECT. 14. Section seventy-four of the same chap-
2 ter is hereby amended by striking out the word
3 "annually" in the first line thereof, and inserting
4 in place thereof the words "in each year in which
5 such election is held."

SECT. 15. Section forty-eight of chapter five of
2 the revised statutes is hereby amended by striking
3 out the words "prior to the annual session of the
4 legislature," in the fifth line thereof.

SECT. 16. Section thirty-eight of chapter six of
2 the revised statutes is hereby amended by inserting
3 before the word "when" in the first line thereof
4 the words, "at each session of the legislature the
5 state tax for the current year. And shall in like man-
6 ner send like warrants for the state tax for the fol-
7 lowing year, forthwith upon the expiration of one
8 year from the time such tax is so ordered; for the
9 current and that for the following year shall be
10 separately ordered and apportioned."

SECT. 17. Section forty-two of the same chapter
2 is hereby amended by adding at the end thereof,
3 "as herein provided for ordering the state and
4 county tax upon property liable to be assessed in
5 towns."

SECT. 18. Section forty-four of the same chapter
2 is hereby amended so far as to read as follows:

3 *Sect. 44.* When the legislature shall assess such
4 state tax the treasurer of state shall within three
5 months next thereafter cause the lists of such
6 assessments, with the lists of any county tax so
7 certified to him, both for the current year, to be
8 advertised three weeks successively in the state
9 paper, and in some newspaper, if any, printed in
10 the county in which the land lies, and shall cause
11 like advertisement of the lists of such state and

12 county taxes for the following year to be made
13 within three months next after one year from such
14 assessment. The said lands shall be held to the
15 state for the payment of such state and county
16 taxes with interest thereon at the rate of twenty
17 per cent., to commence upon the taxes for the year
18 in which said assessment is made at the expiration
19 of one year, and upon the taxes for the following
20 year upon the expiration of two years from the
21 date of such assessment.

SECT. 19. Section forty-five of the same chap-
2 ter is hereby amended by striking out the words
3 "two years from the date of the assessment," in
4 the third line thereof, and inserting instead thereof
5 the words, "one year from the time when such
6 interest commences," and also by striking out the
7 words "two years from the date of the assess-
8 ment," in the ninth and tenth lines thereof, and
9 inserting instead thereof "the time limited in this
10 section for such re-demption."

SECT. 20. Section fifty-nine of the same chapter
2 is hereby amended by adding thereto the words
3 "except when it is otherwise provided by law."

SECT. 21. Section sixty-one of the same chapter
2 is hereby amended by striking out the words
3 "January annually," in the second and third lines

4 thereof, and inserting instead thereof the words,
5 "each month of January in which the legislature
6 meets," and also by adding thereto the words
7 "and like estimates for the year next succeeding
8 thereafter, and the county tax for both said years
9 shall be granted by the legislature separately at the
10 same session."

SECT. 22. Section sixty-two of the same chapter
2 is hereby amended by striking out the words
3 "January annually," in the fifth line thereof, and
4 inserting instead thereof the words "each month
5 of January in which the legislature meets."

SECT. 23. Section sixty-three of the same chap-
2 ter is hereby amended by inserting after the word
3 "shall" in the second line thereof the words "in the
4 month of March in the year for which said tax is
5 granted."

SECT. 24. Section two of chapter seven of the
2 revised statutes is amended in the fifth line by
3 striking out the words "seventy-two and every
4 five years," and inserting instead thereof the words
5 "eighty-two and every four years."

SECT. 25. Section three of chapter seven of the
2 revised statutes is amended in the eighteenth line
3 by striking out the word "five" before "years,"
4 and inserting instead thereof the word "four."

SECT. 26. Section two of chapter eight of the
2 revised statutes is amended in the first line by
3 striking out the word "annually," and by inserting
4 after the word "September" in the second line, the
5 words "one thousand eight hundred and eighty
6 and every two years thence following."

SECT. 27. Section four of chapter eight of the
2 revised statutes is amended in the fifth line by
3 striking out the word "one," and inserting instead
4 the word "two;" and in the sixth line by striking
5 out the word "year," and inserting instead the
6 word "years."

SECT. 28. Section seventy-one of chapter eleven
2 of the revised statutes is amended in the first line
3 of the eighth clause by striking out after the word
4 "annually," the words "prior to the session of the
5 legislature."

SECT. 29. Section fifty-three of chapter fourteen
2 of the revised statutes is amended in the second
3 line by striking out the word "annual," and in the
4 third line by inserting after the word "January"
5 the words "one thousand eight hundred and eighty-
6 one and biennially thereafter."

SECT. 30. Section fourteen of chapter thirty of
2 the revised statutes is amended in the second line

3 by striking out the word "each" before "month,"
 4 and inserting instead thereof the word "the."

SECT. 31. Section fifty-six of chapter forty-nine
 2 of the revised statutes is amended in the fourth
 3 line by striking out the word "annually," and in-
 4 serting instead thereof the word "biennially."

SECT. 32. Section two of chapter seventy-eight
 2 of the revised statutes is amended so as to read as
 3 follows:

4 *Sect. 2.* Vacancies to occur by expiration of the
 5 term of office at the end of any year in which a
 6 biennial election is held, shall be filled by election
 7 on the second Monday of September in such year.
 8 If but one is elected he shall hold the office for six
 9 years; if two, the one having the highest number
 10 of votes shall hold for six years, and the next high-
 11 est for four years; if three, two shall hold as last
 12 provided, and the other for two years. If two
 13 have an equal number of votes, the governor, with
 14 advice of council, shall designate who shall hold
 15 for the longer and who for the shorter term.

SECT. 33. Section three of chapter seventy-eight
 2 of the revised statutes is amended in the second
 3 line by inserting after the word "county," the
 4 words "or at the expiration of any present term of

5 office at the end of any year in which no biennial
6 election is held.”

SECT. 34. Section four of chapter seventy-eight
2 of the revised statutes is amended in the second line
3 by inserting after the word “September” the words
4 “in the year one thousand eight hundred and eighty
5 and every two years thence following.”

SECT. 35. Section five of chapter seventy-eight
2 of the revised statutes, as amended and recited in
3 chapter two hundred and twelve of the public laws
4 of the year one thousand eight hundred and seventy-
5 seven, is hereby further amended by inserting after
6 the word “year,” in the second line, the words “in
7 which an election is held.”

SECT. 36. Section one of chapter seventy-nine
2 of the revised statutes is amended so as to read as
3 follows:

4 *Sect. 1.* Clerks of the judicial courts shall be
5 elected and notified, their elections determined and
6 vacancies filled; and they shall enter upon the dis-
7 charge of their duties at the same time as is pro-
8 vided respecting county commissioners by chapter
9 seventy-eight as hereby amended, and hold their
10 offices for the term of four years, and perform all
11 duties required by law.

SECT. 37. Section twelve of chapter seventy-
2 nine of the revised statutes is amended so as to read
3 as follows:

4 *Sect. 12.* County attorneys shall be elected and
5 notified, their elections determined and vacancies
6 filled, and they shall enter upon the discharge of
7 their duties at the same time as is provided respect-
8 ing county commissioners by chapter seventy-eight
9 as hereby amended, and hold their offices for the
10 term of two years. None but a permanent resident
11 of the county shall hold such office, and removal
12 from it vacates the office.

SECT. 38. Section ten of chapter fifty of the
2 public laws of the year one thousand eight hundred
3 and seventy-eight is hereby amended by striking
4 out of the second line, the words, "each month of
5 January," and inserting in place thereof the words,
6 "the first month of each regular session."

SECT. 39. This act shall not affect the tenure of
2 the present incumbent of any office named herein.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 10, 1880. }

Reported by Mr. STROUT, from Committee on Judiciary, and
ordered printed under Rule.

ORAMANDAL SMITH, *Clerk.*