

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Seventh Legislature.

HOUSE.

No. 259.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE.

AN ACT to establish a Commission of Public Works in the
city of Portland.

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

SECTION 1. The mayor of the city of Portland is here-
2 by authorized and empowered to appoint on the second
3 Monday of March, A. D. 1895, or as soon thereafter as
4 may be, subject to the approval of the board of aldermen,
5 a commissioner of public works who shall be a civil engi-
6 neer and who shall hold office for three years at the first
7 appointment under this act, and until his successor is
8 qualified; each succeeding appointment thereafter shall
9 be for the term of three years. He shall receive such sal-

10 ary as the city council may determine. In case any
11 vacancy should occur, it may be filled in the same manner
12 for the unexpired term. He may be removed by the
13 mayor for cause, subject to the approval of the board of
14 aldermen.

The mayor of the city of Portland is hereby authorized
16 and empowered to appoint on the second Monday of
17 March, A. D. 1895, or as soon thereafter as may be, sub-
18 ject to the approval of the board of aldermen, a competent
19 person to be designated as secretary for the commissioner
20 of public works and also for the committee of public
21 works named in section five of this act, who shall have
22 charge of all the records and books of registration of said
23 committee, and of all accounts of said commissioner, who
24 shall hold office for two years at the first appointment under
25 this act and until his successor is qualified, and thereafter
26 he shall be appointed to serve for the term of three years and
27 until his successor is qualified. In case any vacancy
28 should occur, the unexpired term shall be filled by
29 appointment in the same manner. He shall receive such
30 salary as the city council may determine. He may be
31 removed by the mayor for cause, subject to the approval
32 of the board of aldermen. He shall perform such duties
33 as the commissioner of public works may from time to
34 time determine.

SECT. 2. Neither the commissioner of public works,
2 the secretary, nor any officer employed by said commissioner
3 shall be interested, either directly or indirectly, in any
4 contract entered into by either or both of them in their
5 official capacity or in behalf of the city of Portland, and
6 contracts made in violation thereof are void.

SECT. 3. The said commissioner shall be vested with
2 all the authority now exercised by and shall perform all
3 duties now incumbent upon the city civil engineer of said
4 city of Portland, and the street commissioner, which office
5 is hereby abolished, and shall have charge of the mainte-
6 nance and repair according to law of all streets and pub-
7 lic ways in said city of Portland, including sidewalks and
8 bridges, and of all public sewers and drains, and of the
9 construction, maintenance and repair of all culverts and
10 catch-basins belonging to the city; shall have charge of
11 the construction of new streets and bridges when laid out
12 and ordered to be constructed by order of the city coun-
13 cil, shall have charge of the construction of new sewers
14 when the same are laid out according to law; shall take
15 general care of all property belonging to the city which
16 pertains to the duties of said commissioner of public
17 works. Said commissioner shall be authorized to purchase
18 everything necessary and convenient to conduct the busi-
19 ness of his department; shall employ all assistants, fore-
20 men and clerks, and make all contracts for the supply of
21 labor (subject to the provisions of section five of this act),
22 and material necessary to carry on the works in charge of
23 the said commissioner.

SECT. 4. The city council shall annually appropriate
2 such sums of money as they may deem necessary and suf-
3 ficient to carry on the work of said commissioner. Such
4 appropriation shall be drawn from the city treasury in such
5 manner as the city council may from time to time by
6 ordinance direct.

SECT. 5. Annually at the organization of the city coun-
2 cil of said city, or as soon thereafter as may be, the mayor

3 shall appoint two members of the board of aldermen, both
4 of whom shall not be of the same political party, if more
5 than one party is represented in said board, and the
6 president of the common council shall appoint two mem-
7 bers of the board of common council, not more than one
8 of whom shall be of the same political party, if more than
9 one party is represented in said board, who shall with the
10 Mayor ex officio who shall be chairman of said committee
11 constitute a committee to be called the committee on
12 public works. Said committee shall at the end of every
13 month audit all accounts of said commissioner, and make
14 monthly reports to the city council of the progress of the
15 work and of the accounts audited. Said committee shall
16 be a board of registration for the employment of all labor
17 under such rules and orders as the city council may from
18 time to time determine.

SECT. 6. The commissioner shall keep full record of all
2 his doings, which record shall at all times be open to the
3 inspection of the city council and shall make report to said
4 city council quarterly or as much oftener as ordered, of the
5 work completed or in process of completion, and said city
6 council shall have power to inquire into the action of said
7 commissioner at all times and to require of him a full
8 explanation of his doings.

SECT. 7. The city council may from time to time, sub-
2 ject to the provisions of this act, and in accordance with
3 the general laws, delegate to said commissioner such addi-
4 tional administrative powers and duties as the city council
5 may by ordinance determine.

SECT. 8. All acts and parts of acts inconsistent here-
2 with are hereby repealed, and all provisions of the charter

3 and all ordinances of said city of Portland inconsistent
4 herewith are hereby repealed and declared inoperative and
5 without effect.

SECT 9. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 1, 1895.

Reported by Mr. KNOWLTON of Portland, from Committee on
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*