

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 251

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend an act entitled "An Act to incorporate the
city of Old Town."

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

Section 1. Section twenty of chapter seventy-one of the
2 Private and Special Laws of 1891 incorporating the city of
3 Old Town as amended by chapter 210 of Private Laws of
4 1895 is hereby further amended by adding after the words
5 "city engineer" in the 4th line the words, 'city clerk, city
6 attorney and city marshal' and by striking out the words
7 "street superintendent" in the 5th line and in the 14th line
8 and inserting the words 'members of a street board' and add-
9 ing after the words "city engineer" in the 13th line the words
10 'city clerk, city attorney and city marshal;' after the word
11 "board" in the 18th line insert 'school board and street board;'
12 after the word "member" in the 20th line insert 'of each
13 board;' after the word "undertakers" in the last line add the
14 following:

‘Said school board shall elect a superintendent of schools
16 who shall hold office for one year beginning the first Monday
17 of April; but said school board may by a majority vote
18 remove said superintendent for sufficient reason.

Said street board shall elect a superintendent of streets who
20 shall hold office for one year beginning the first Monday of
21 April; but said street board may by a majority vote remove
22 said superintendent for sufficient reason. Said board shall
23 have all the powers and perform all the duties of surveyors of
24 highways and road commissioners of towns, and shall have
25 general oversight and care of the streets, sidewalks and public
26 places, and make all contracts for labor and materials and
27 have general care of the property of the street department,’
28 so that said section shall read as follows:

‘Sect. 20. The subordinate officers of said city to be elected
30 by the city council shall be three overseers of the poor, three
31 assessors, treasurer, collector of taxes, members of the school
32 board, two street commissioners, city engineer, city clerk,
33 city attorney and city marshal, chief engineer of the fire
34 department, members of a street board, city physician, con-
35 stable, truant officers, members of a cemetery board, fence
36 viewers, surveyors of lumber, measurers of wood and bark,
37 and such other officers as by law are allowed to be elected
38 by towns, except as otherwise hereby provided, and also such
39 as are provided for by the by-laws or ordinances of the city.
40 The overseers of the poor, assessors, treasurer, members of
41 the school board, street commissioners, city engineer, city
42 clerk, city attorney and city marshal, chief engineer of the
43 fire department, members of the cemetery board, members of
44 a street board, and city physician shall be elected by written
45 ballot; and the other officers elected by the city council, may
46 be elected by any method agreed upon by said council. The
47 cemetery board, school board and street board shall consist
48 of as many members as there are wards of the city; and the

49 city council shall so fix the term of office of said members
50 that the term of one member of each board shall expire each
51 year. Said cemetery board shall elect the undertakers of
52 the city who shall hold office for one year beginning on the
53 first Monday of April; but said cemetery board may by a
54 majority vote for sufficient cause remove any or all of said
55 undertakers.

‘Said school board shall elect a superintendent of schools
57 who shall hold office for one year beginning the first Monday
58 of April; but said school board may by a majority vote
59 remove said superintendent for sufficient reason.

‘Said street board shall elect a superintendent of streets who
61 shall hold office for one year beginning the first Monday of
62 April; but said street board may by a majority vote remove
63 said superintendent for sufficient reason. Said board shall
64 have all the powers and perform all the duties of surveyors
65 of highways and road commissioners of towns, and shall
66 have general oversight and care of the streets, sidewalks and
67 public places, and make all contracts for labor and materials
68 and have general care of the property of the street depart-
69 ment.’

Sect. 2. Section 21 of said chapter 71 as amended by afore-
2 said chapter 210, Private and Special Laws of 1895, is hereby
3 amended by striking out in said amended section the words
4 “city clerk, city attorney, city marshal and” in the second and
5 third lines, so that section 21 when amended shall read as
6 follows:

‘Sect. 21. The mayor, with the consent of the board of
8 aldermen, shall appoint such number of police officers as
9 shall, from time to time, be fixed by the city council; and
10 also, except as otherwise hereby provided, all other officers,
11 who, by the laws of the State, may be appointed by the mayor
12 and aldermen of cities or by the municipal officers of towns.’

Sect. 3. Section 27 of said chapter 71 is hereby amended
2 by striking out the words "the superintending school com-
3 mittee" in the first line and inserting the words 'school board'
4 and by striking out the words "but this change of designa-
5 tion shall not be construed as affecting its power and obli-
6 gation to perform any duty imposed by statute upon the
7 superintending school committee of the town of Old Town,
8 nor as affecting in any way the right of the members of the
9 superintending school committee of said town who shall, at
10 the time when this act takes effect, be holding such office,
11 to continue to hold the same until the expiration of the origi-
12 nal term of office for which they were respectively elected
13 by said town," and by striking out all of said section after
14 the words "city council" in the nineteenth line, and by
15 inserting instead the following words: 'the salary of the
16 superintendent of schools shall be fixed by the school board
17 and shall be paid from the city treasury as salaries of teachers
18 are paid; the members of said board shall receive no salary
19 or compensation for their services. Said board shall have
20 and perform all the powers and duties conferred by law upon
21 the superintending school committee and school agents.' So
22 that the said section shall read as follows:

'Sect. 27. The school board of said city shall perform all
24 the duties and be invested with all the powers of the super-
25 intending school committee of a town under the laws of this
26 State. It shall be officially designated and known as the
27 school board of said city. The said school board shall elect
28 a chairman annually, and may appoint some suitable person,
29 not a member of said board, to be superintendent of schools,
30 and may adopt such rules and regulations for the manage-
31 ment of schools and transaction of its business as are not
32 inconsistent with the laws of the State. It shall have the
33 supervision and care of all school property subject to the
34 general supervision and control of the city council. The

35 salary of the superintendent of schools shall be fixed by the
36 school board and shall be paid from the city treasury as sala-
37 ries of teachers are paid; the members of said board shall
38 receive no salary or compensation for their services. Said
39 board shall have and perform all the powers and duties con-
40 ferred by law upon the superintending school committee and
41 school agents.'

Sect. 4. Section 42 of said chapter 71 is hereby repealed.

Sect. 5. All acts or parts of acts inconsistent with the pro-
2 visions of this act or with the amendments hereto are hereby
3 repealed.

Sect. 6. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 5, 1903.

Reported by Mr. POTTER of Brunswick, from the Committee on the
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*