

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventy-first Legislature.

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HOUSE.

No. 280

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## STATE OF MAINE.

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

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AN ACT to amend the charter of the City of Gardiner.

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

Section 1. Section four of the act entitled "An Act to  
2 incorporate the city of Gardiner" is hereby amended by  
3 inserting in the twenty-sixth line thereof after the word  
4 "treasury" the following: 'And all bills and claims against  
5 the city of any and every nature shall be paid by the city  
6 treasurer upon presentation of the same, itemized, and  
7 approved in writing by the city official by whose authority  
8 the expenditures represented by them shall have been  
9 incurred; and he shall retain all such bills properly received,  
10 as his vouchers for moneys by him paid out.'

Sect. 2. Section three of said act as amended by chapter 2 four hundred fifty-five of the Laws of 1885 is hereby amended 3 by striking out the last ten lines thereof and substituting 4 therefor the following: "The aldermen and common council- 5 men shall receive no compensation for their services as such. 6 Except as above provided, neither the mayor nor any mem- 7 ber of the city council shall, during the term for which he 8 may be elected, be chosen to any salaried city office.'

Sect. 3. The mayor with the advice and consent of the 2 board of aldermen, shall annually, on the third Monday in 3 March, appoint a city marshal, who shall be the chief of 4 police and who shall have all the powers and exercise all the 5 duties that now appertain to the constables of towns.

The city marshal shall, with the advice and consent of the 7 municipal officers, appoint all police officers. The number 8 of regular and special police officers shall be determined from 9 time to time by the municipal officers, and their duties shall 10 be regulated by the city marshal.

All regular police officers shall hold office during good 12 behavior and until removed by the city marshal, with the 13 consent of the municipal officers. All special police officers 14 shall be appointed each year, and may be removed in the 15 same manner as the regular officers.

All police officers shall have all the powers and exercise all 17 the duties in criminal matters that now appertain to the con- 18 stables of towns.

Section nineteen of "An Act to incorporate the city of Gar- 20 diner" is hereby repealed.

Sect. 4. The care, construction, repair and maintenance of 2 the streets, roads, ways, sidewalks and bridges, and the care, 3 construction, repair and maintenance of the sewers in said 4 city is hereby invested in a board of commissioners to be 5 known as highway and sewer commissioners. At the annual

6 municipal election next after this section shall have been  
7 accepted as provided in section five, the people shall elect  
8 three commissioners, whose terms of office shall expire  
9 respectively, in one, two and three years from the time of  
10 such election, and annually thereafter, at the municipal elec-  
11 tion they shall elect one such commissioner for a term of  
12 three years. In case of a vacancy the mayor, with the advice  
13 and consent of the aldermen, shall appoint a suitable person  
14 to serve until the municipal election next following, when,  
15 if there still remains a portion of the term unexpired, the  
16 people shall elect a person to serve during such remainder.  
17 The commissioner who has served the longest shall be the  
18 chairman of the board, provided, however, that in its first  
19 organization, the person elected to serve for one year shall  
20 be the chairman of the board, to be succeeded by the person  
21 who was elected for two years.

The board shall have full charge of the maintenance and  
23 repair of the streets, roads, ways, sidewalks, bridges, sewers,  
24 culverts, drains and catch-basins. It shall appoint some  
25 competent person who shall not be a member of the board  
26 as superintendent of streets, who shall perform all the duties  
27 incumbent upon the present street commissioner of the city,  
28 which office is hereby abolished, and when necessary, may  
29 employ a competent engineer.

For the construction, repair and maintenance of drains and  
31 sewers the board shall be the authorized agents of the muni-  
32 cipal officers, and shall only act under their direction; and  
33 nothing in this act shall be construed to divest the municipal  
34 officers of any duties relating thereto, which are by law  
35 imposed upon them.

Sect. 5. At a special election called for that purpose, the  
2 voters of said city shall have the right by majority vote to  
3 accept or reject sections three and four of this act; neither  
4 of which shall take effect until it shall have been so accepted,

5 and upon being so accepted, section three shall take effect  
6 on the third Monday of March next following its acceptance,  
7 section four shall take effect as therein provided and sections  
8 one and two shall take effect when approved, provided, that  
9 nothing in section two shall be held to prohibit any member  
10 of the city council from holding any office to which he may  
11 be elected prior to July one, nineteen hundred and three.

Sect. 6. All acts and parts of acts, inconsistent with the  
2 provisions of this act, are hereby repealed.

Sect. 7. For the purpose of calling the special election,  
2 provided for in section five, this act shall take effect when  
3 approved.

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## STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 6, 1903.

Reported by Mr. KELLEY of Lewiston, from Committee on Legal  
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*