

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 639

In Senate, March 28, 1913.

*Reported by Senator Conant from Committee on Ways and
Bridges, and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to provide for appointment of Road Commissioners
by Selectmen.

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

Section 1. Section thirteen of chapter four of the Revised
2 Statutes as amended by chapter two hundred of the Public
3 Laws of one thousand nine hundred and nine is hereby
4 further amended so that said section shall read as follows:

'Sect. 13. The selectmen of each town shall annually
6 choose by written appointment a road commissioner who
7 shall hold his office until the first Monday of April in the
8 year following; provided, however, that selectmen may so

9 choose such commissioner for a longer term, not exceeding
10 three years. Any town may, at its option, vote to have not
11 more than three road commissioners whose appointment,
12 powers and duties shall be the same as prescribed for a
13 single commissioner.' Any road commissioner may be
14 removed from office by the selectmen for incompetency or
15 neglect to perform his official duties.

Sect. 2. Section fourteen of chapter four of Revised
2 Statutes is hereby amended by striking out the words "and
3 road commissioners" in the second and third lines thereof,
4 also by inserting the word 'and' before the words "town
5 agent" in the second line, so that said section shall read as
6 follows:

'Sect. 14. Moderator, town clerk, selectmen, assessors and
8 overseers of the poor, treasurer, auditor, school committee
9 and town agent shall be elected by ballot, and the other said
10 officers by ballot, or if not so elected, they shall be appointed
11 by the selectmen. The town agent shall act under the
12 direction of the selectmen, and shall receive from the treas-
13 ury of the town such compensation for his services as may
14 be fixed by vote of the town; otherwise, as the selectmen
15 shall allow.'

Sect. 3. Section fifteen of said chapter four is hereby
2 amended by striking out the word "elected" in the first line
3 of said section and inserting in place thereof the word
4 'appointed;' also by striking out the words "before the first
5 Monday of April" in the second line of said section and

6 inserting in place thereof 'within seven days after appoint-
7 ment;' also by striking out the words "If a town fails to
8 elect a road commissioner at its annual meeting, the money
9 raised and assessed for the repair of bridges and ways as
10 provided by section seventy of chapter twenty-three shall
11 be expended for that purpose by the selectmen," so that said
12 section as amended shall read as follows:

'Sect. 15. If a person appointed as road commissioner
14 fails to qualify within seven days after appointment, the
15 office shall be deemed vacant, and shall be filled by the select-
16 men by appointment; and in the event of a vacancy caused
17 by death or otherwise, the selectmen shall appoint some
18 competent person to fill out the unexpired term, who shall
19 qualify and perform the duties of said office. If after the
20 choice of any officer not required to be chosen by ballot,
21 there is a vacancy in any such office, the municipal officers
22 may fill such vacancies by the written appointment of proper
23 persons, who shall be summoned by the constable to appear
24 and take the oath of office provided in section twenty-five
25 subject to the penalties provided in section twenty-six.'

Sect. 4. This act shall not apply to road commissioners
2 chosen under existing law nor abridge their term of office;
3 but this act shall apply to their successors in office, nor shall
4 this act apply to cities or towns which choose road com-
5 missioners under special acts of the legislature.