

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 874

In House of Representatives, March 20, 1915.

*Reported by Mr. Sanborn from Committee on Judiciary and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to Amend the City Charter of South Portland there-
by providing for the election of assessors by the citizens.

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

Section five of the city charter of South Portland shall
2 be amended by inserting after the word "mayor" the
3 words 'and assessors'; by inserting after the word "wards"
4 the following: "The first election for assessors under this
5 act shall be at the first regular municipal election after it
6 shall have been adopted, at which time three assessors shall
7 be elected, one of whom shall be elected for one year, one
8 for two years, and one for three years, and at each subse-

9 quent election one assessor shall be elected for three years,
10 each of whom shall continue in office until some other per-
11 son shall have been elected and qualified in his place;’ so
12 that said section as amended shall read as follows:

‘Sect. 5. The mayor and assessors shall be elected from
14 the citizens at large, by the legal voters of the city voting
15 in their respective wards. The first election for assessors
16 under this act shall be at the first regular municipal election
17 after it shall have been adopted, at which time three assess-
18 ors shall be elected, one of whom shall be elected for one
19 year, one for two years, and one for three years, and at each
20 subsequent election one assessor shall be elected for three
21 years, each of whom shall continue in office until some other
22 person shall have been elected and qualified in his place.
23 One alderman, a member of the school committee, a war-
24 den, a ward clerk and one constable, shall be elected by each
25 ward, being residents in the ward where elected. All of said
26 officers shall be elected by ballot as hereinafter provided.

Section nine of the city charter of South Portland shall
28 be amended by striking out the word “assessors,” being
29 the second word in said section; also by striking out the
30 following words: “At the first election thereof under this
31 act, three persons shall be elected assessors, one of whom
32 shall be elected for one year, one for two years and one for
33 three years, and at each subsequent election one assessor
34 shall be elected for three years, each of whom shall con-
35 tinue in office until some person shall have been elected and

36 qualified in his place. Three overseers of the poor shall be
37 elected in the same manner as are the assessors, and shall
38 hold office the same time, and all subsequent elections of
39 these officers shall be in the same manner as all subsequent
40 elections for assessors;” by inserting after the word “be,”
41 being the twenty-ninth word in said section, the follow-
42 ing. ‘There shall be three overseers of the poor to hold
43 office for the period of three years to be elected as their
44 terms expire, each of whom shall continue until some other
45 person shall have been elected and qualified in his place,’
46 so that said section as amended shall read as follows:

‘Sect. 9. The overseers of the poor and health officers
48 shall be elected by the city council on the second Monday in
49 March, or as soon thereafter as may be. There shall be
50 three overseers of the poor to hold office for the period of
51 three years to be elected as their terms expire, each of whom
52 shall continue until some other person shall have been elect-
53 ed and qualified in his place. The city council may elect an
54 assistant assessor in each ward, whose duty it shall be to
55 furnish the assessors with all necessary information rela-
56 tive to persons and property taxable in his ward. He shall
57 be sworn or affirmed, to the faithful performance of his
58 duty. All taxes shall be assessed, apportioned and col-
59 lected in the manner prescribed by the laws of this state
60 relative to town taxes, except as herein modified, and the
61 city council may establish further or additional provisions
62 for the collection thereof, and of interest thereon. The

63 city council shall also elect a city solicitor and determine
64 his salary.'

Section sixteen of the city charter of South Portland shall
66 be amended by inserting after the word "mayor" being
67 the seventy-third word of said section, the following: 'Three
68 assessors at the first regular municipal election after this
69 act shall have been adopted, and one at each election there-
70 after except in case of vacancies, when there shall be suffi-
71 cient to fill said vacancies;' also after the word "mayor" be-
72 ing the two hundred and eighty-fourth word in said section,
73 by inserting the following: 'and assessors'; so that said
74 section as amended shall read as follows:

'Sect. 16. For the purpose of organizing the system of
76 government hereby established, and putting the same in
77 operation in the first instance, the selectmen of the town
78 shall at least seven days before the first Monday of March
79 after the acceptance of this charter, issue their warrant
80 for calling a meeting of the legal voters at such place and
81 hour of the day as they shall choose, for the purpose of
82 choosing a mayor, three assessors at the first regular mu-
83 nicipal election after this act shall have been adopted, and
84 one at each election thereafter except in case of vacancies,
85 when there shall be sufficient to fill said vacancies, seven
86 aldermen, a school committee of seven, and seven constables
87 to be taken from the city at large; said officers shall be
88 elected by a plurality vote. The town clerk shall notify
89 the several officers-elect of their election, in writing, within

90 twenty-four hours. Their powers and duties shall be as
91 herein provided. After the city has been divided into
92 wards, ward meetings of the legal voters thereof shall be
93 called, which meetings shall be presided over by some per-
94 son appointed by the city council, and the records of said
95 first meetings in the several wards shall be made by some
96 person designated by the city council, and at said first meet-
97 ings lists of voters, corrected by the aldermen, shall be de-
98 livered to the persons designated to act as recording officers
99 in the several wards to be used as provided by law, in town
100 meetings. Said recording officers shall perform the du-
101 ties of ward clerks, as before herein provided, relative to
102 making a record of the election and returning a copy of the
103 records of the city council. On the first Monday in March,
104 annually thereafter the qualified voters of each ward shall
105 vote on one ballot for city and ward officers, as hereafter
106 provided for all of which officers except the mayor and
107 assessors shall be residents of the ward or district where
108 elected. And all officers shall be elected by ballot, by a
109 plurality of the votes given, and shall hold their offices one
110 year from the second Monday in March, except members
111 of the school committee who shall be chosen for three years
112 after the first election under this charter, and until others
113 shall be elected and qualified in their places; all city and
114 ward officers shall be held to discharge the duties of the
115 offices to which they have been respectively elected, not-
116 withstanding the removal after their election, out of their

117 respective wards, into any other ward in the city; the ward
118 clerk within twenty-four hours after such election shall
119 deliver to the ward officers elected, certificates of their
120 election, and shall forthwith deliver to the clerk a certified
121 copy of the record of such election, a plain and intelligible
122 abstract of which shall be entered by the city clerk upon
123 the city records. If the person elected shall refuse to ac-
124 cept the offices, the said board shall issue their warrants
125 for another election; and in case of a vacancy in the office
126 of mayor by death, resignation or otherwise, it shall be
127 filled for the remainder of the term by a new election, to
128 be called as herein provided, and held within twenty days
129 after the vacancy occurs. The oath or affirmation pre-
130 scribed by this act shall be administered to the mayor by
131 the city clerk, or any justice of the peace. The aldermen-
132 elect shall meet on the second Monday of March at seven
133 o'clock in the evening, when the oath or affirmation, re-
134 quired by the second section of this act shall be adminis-
135 tered to the members present by the mayor, or any justice
136 of the peace. The city council shall by ordinance, deter-
137 mine the times of holding stated or regular meetings of the
138 board, and shall also in like manner determine the man-
139 ner of calling special meetings and the persons by whom
140 the same shall be called, but until otherwise provided by
141 ordinance, special meetings shall be called by the mayor
142 by causing a notification to be given in hand or left at the
143 usual residence of each member.'

Section twenty-one of the city charter of South Portland
145 shall be amended by inserting after the word "officers,"
146 being the thirty-third word in said section, the following:
147 'except assessors;' so that said section as amended shall
148 read as follows:

'Sect. 21. All officers of the police department shall be
150 appointed by nomination by the mayor and confirmed by
151 the city council, and may be removed by them for good
152 cause. All other subordinate officers except assessors shall
153 be elected by the city council, and may be removed by
154 them for cause. Except as otherwise especially provided
155 in this act, all subordinate officers shall be elected annu-
156 ally on the second Monday of March, or as soon thereafter
157 as may be, and their term of office shall be for one year,
158 and until others are qualified in their place.

The term of office of any assessor of the city of South
160 Portland shall expire immediately on the election and
161 qualification of assessors under the city charter of South
162 Portland as amended by this act.

This act shall take effect when approved by a majority
164 vote of the legal voters of South Portland, and shall be
165 submitted to the legal voters at the next annual election
166 to be held on the first Monday of March, 1916, and if it
167 fails of passage at that election, may be submitted to the
168 people at any future election by a majority vote of the
169 municipal officers. The city clerk shall reduce the subject
170 matter of this act to the following question: "Shall the

171 act providing for the election of assessors by the people
172 be accepted?" and the voters shall indicate by a cross placed
173 over the words "yes" or "no" their opinion of the same.
174 The result shall be declared by the municipal officers and
175 due certificate thereof filed by the city clerk with the sec-
176 retary of state.'