

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 344

In Senate, March 13, 1915.

*Reported by Sen. Garcelon from Committee on Legal Affairs
and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

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

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

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

Section 1. The municipal election for the choice of mayor,
2 aldermen, councilmen and city constables of the City of
3 Augusta, and of wardens and ward clerks of the several
4 wards in said city, shall be held on the second Monday of
5 December, annually, instead of on the second Monday of
6 March. Said officers chosen at any annual election shall
7 hold their offices one year from the first Monday of January
8 next following their election, and until others shall be elect-
9 ed and qualified in their places; except that those that shall
10 be chosen at the election to be held on the second Monday

11 of December in the present year shall hold their offices from
12 the third Monday of March in the year one thousand nine
13 hundred and sixteen until the first Monday of January in
14 the year one thousand nine hundred and seventeen, and un-
15 til their successors are elected and qualified in their places ;
16 provided, however, that if section two of this act shall be
17 accepted, as hereinafter provided, by the electors of said
18 city then the municipal election shall be held biennially, in-
19 stead of annually, beginning with the second Monday of
20 December in the present year, and the aforesaid officers
21 chosen at any biennial election shall hold their offices two
22 years from the first Monday of January next following their
23 election, and until their successors are elected and qualified
24 in their places, except that those that shall be chosen at the
25 election to be held on the second Monday of December in
26 the present year shall hold their offices from the third Mon-
27 day in March in the year one thousand nine hundred and
28 sixteen until the first Monday of January in the year one
29 thousand nine hundred and eighteen, and until their suc-
30 cessors are elected and qualified in their places.

Sect. 2. The municipal election for the choice of mayor,
2 aldermen, councilmen and city constables of the City of Au-
3 gusta, and of wardens and ward clerks of the several wards
4 in said city, shall be held once in two years instead of annu-
5 ally. If section one of this act shall be accepted by the
6 electors of said city the municipal election shall be held
7 on the second Monday of December in the present year and

8 biennially thereafter on the second Monday of December,
9 and the officers chosen at any biennial December election
10 shall hold their offices two years from the first Monday
11 of January following their election, and until their suc-
12 cessors are elected and qualified in their places, except that
13 those that shall be chosen at the December election in the
14 present year shall hold their offices from the third Monday
15 in March in the year one thousand nine hundred and six-
16 teen until the first Monday in January in the year one thou-
17 sand nine hundred and eighteen, and until their successors
18 are elected and qualified in their places. If said section one
19 shall not be accepted by the electors of said city, then the
20 municipal election shall be held on the second Monday in
21 March in the year one thousand nine hundred and sixteen
22 and biennially thereafter on the second Monday in March,
23 and the officers chosen at any biennial March election, be-
24 ginning with the March municipal election in the year one
25 thousand nine hundred and sixteen which in such case is
26 deemed the first biennial election, shall hold their offices two
27 years from the Monday following the biennial election at
28 which they are elected, and until their successors are
29 elected and qualified in their places. Any officer chosen at a
30 special election to fill a vacancy shall hold his office during
31 the unexpired term and until his successor is elected and
32 qualified in his place.

Sect. 3. The mayor shall receive from said city a salary of
2 twelve hundred dollars per year, payable monthly, to be in

3 full for all services rendered the city by him in any capacity.

Sect. 4. The mayor shall appoint all city officers except
2 those that are required by law to be elected by the qualified
3 electors of said city or of the several wards in said city. The
4 appointments shall be made and take effect as soon as con-
5 venient after the beginning of the mayor's term of office,
6 and the officers appointed shall hold their offices during the
7 term for which the mayor was elected; except that the com-
8 missioners of streets and the overseer of the poor shall be
9 appointed triennially to hold office for the term of three
10 years, and one assessor shall be appointed each year to hold
11 office for the term of three years. Appointed city officers
12 may be removed from office by the mayor for cause, other-
13 wise they shall serve through their respective terms afore-
14 said and until their successors are appointed and qualified in
15 their places. The mayor shall exercise the same power of
16 appointment to fill a vacancy in any appointive city office,
17 but the person appointed to fill a vacancy due to any cause
18 other than expiration of the term of office shall hold office
19 during the unexpired term of his predecessor. If section
20 five of this act shall be adopted, commissioners of streets
21 shall not be appointed, and the office of commissioner of
22 streets shall be deemed to be abolished when the provisions
23 of said section five for the appointment of one street com-
24 missioner become operative.

Sect. 5. In place of the two commissioners of streets, re-
2 spectively of the Eastern and Western Districts in said

3 City of Augusta, there shall be one street commissioner,
4 who shall have all the powers and perform all the duties
5 heretofore pertaining to the two commissioners of streets.
6 The street commissioner shall be a trained road builder and
7 shall receive a salary of two thousand dollars per year, pay-
8 able monthly, to be in full for all services rendered said
9 city in any capacity. On the third Monday of March in the
10 year one thousand nine hundred and sixteen, or as soon
11 thereafter as convenient, the mayor shall appoint the street
12 commissioner to hold office three years from the date of his
13 appointment and until his successor is appointed and quali-
14 fied; and thereafter the street commissioner shall be ap-
15 pointed triennially; but the mayor may remove the street
16 commissioner from office for cause at any time and appoint
17 another in his place for the unexpired term or for the term
18 of three years, subject, however, to removal from office
19 for cause. Likewise the mayor may fill a vacancy at any
20 time occurring, and from whatever cause, in the office of
21 street commissioner, by appointing another person for the
22 unexpired term or for the full term of three years.

Sect. 6. Sections one, two, three, four and five of this act
2 shall take effect only when accepted, as hereinafter pro-
3 vided, by the electors of said city qualified to vote in a mu-
4 nicipal election. Said sections shall be submitted to be
5 voted upon by the qualified electors of said city at an elec-
6 tion to be especially called and held for that purpose on the
7 second Monday of September in the year one thousand nine

8 hundred and fifteen. Said election shall be called, adver-
9 tised and conducted according to the law relating to munic-
10 ipal elections in said city. The ballots to be used in said
11 election shall be in such form as to permit each of said first
12 five sections of this act to be voted on separately by an ex-
13 pression of the voter's opinion on the following five ques-
14 tions relating respectively to said first five sections of this
15 act:

'Section 1. Shall the municipal elections, in the City of Au-
17 gusta, for the election of mayor, aldermen, councilmen, con-
18 stables and ward officers henceforth be held on the second
19 Monday of December in order that the municipal year may
20 begin on the first Monday of January?

'Sect. 2. Shall the mayor, aldermen, councilmen, consta-
22 bles and ward officers be elected biennially to hold office for
23 the term of two years?

'Sect. 3. Shall the mayor's salary be changed to twelve
25 hundred dollars per year?

'Sect. 4. Shall all the city officers, other than those elected
27 by the people, be appointed by the mayor to serve through
28 the mayor's term of office, excepting that the commissioners
29 of streets, assessors and overseer of the poor are to be ap-
30 pointed for three-year terms, and all appointed officers to be
31 subject to removal from office by the mayor for cause?

'Sect. 5. Shall the mayor appoint one street commissioner,
33 to be a trained road builder, in place of the two commis-
34 sioners of streets, and to hold office for the term of three

35 years unless removed from office by the mayor for cause?’

Opposite and to the right of each of said questions shall be
37 printed and the two words “YES” and “NO” with the usual
38 square in which the voter is to mark in the manner required
39 by law to express his opinion. Other brief and suitable ex-
40 planation of the subject matter submitted may be printed on
41 the ballots which in other respects shall conform with all
42 the requirements of law. Such of the sections so submitted
43 as shall receive more affirmative than negative votes at said
44 election shall be deemed to have been accepted and shall
45 thereupon be in full force and effect. The result of said
46 election shall be declared by the mayor and aldermen, and
47 due certificate thereof filed with the city clerk and with the
48 secretary of state. A printed copy of the full text of this
49 act shall be posted with each notice of said election, and two
50 copies shall be kept posted in each voting place in said city
51 during said election.

Sect. 7. All acts and parts of acts inconsistent herewith,
2 and all provisions of the charter and ordinances of the said
3 City of Augusta inconsistent with this act are hereby modi-
4 fied so as to conform to the provisions of this act; but this
5 section shall take effect as to the subject matter covered by
6 sections one, two, three, four and five of this act when and
7 only so far as said first five sections or any of them are
8 finally accepted by the electors of said City of Augusta, as
9 provided in section six.