

# MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

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SENATE

NO. 8

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In Senate, Jan. 19, 1921.

Referred to Committee on Judiciary and 300 copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Gillin of Penobscot.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE

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AN ACT to Amend the City Charter of Bangor.

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

Section 1. Chapter four hundred and thirty-six of the  
2 private and special laws, approved February twelfth, eight-  
3 een hundred and thirty-four, entitled "An Act to Incorpor-  
4 rate the City of Bangor", and acts amendatory thereof or  
5 additional thereto, or affecting said act, are hereby amended  
6 as follows:

Sect. 2. The regular city election of the city of Bangor  
2 shall be held on the second Monday of December in each  
3 year, beginning in the year nineteen hundred and twenty-  
4 one.

Sect. 3. The municipal year of said city shall be from the  
2 first Monday in January at ten A. M. until that time in the  
3 following January.

The mayor and members of the city council shall hold office  
2 for one year from the first Monday in January in each year  
3 or until others are elected and sworn in their places.

On the first Monday in January in each year, beginning  
2 in the year nineteen hundred and twenty-two, the mayor-  
3 elect and members of the city council-elect shall meet in  
4 convention at ten A. M., and, as provided in the present  
5 city charter, shall be sworn in and the two boards of the  
6 city council shall organize.

Sect. 4. On the first Monday in January, nineteen hun-  
2 dred and twenty-two, upon the inauguration of the new city  
3 government, the terms of office of those then holding the  
4 office of mayor, of aldermen and of common councilmen  
5 shall cease, provided that their respective successors shall  
6 have then been legally elected and sworn in.

Sect. 5. On the first Monday in January in each year,  
2 beginning in the year nineteen hundred and twenty-two, the  
3 city council shall elect members of the board of public works,  
4 as hereinafter provided, and, except as hereinafter provided,  
5 shall, as heretofore, elect subordinate officers.

Sect. 6. A board to be known as the board of public  
2 works, to consist of seven (7) members, including the  
3 mayor, ex-officio, who shall be chairman of the board, is  
4 hereby established in and for the city of Bangor, which shall

5 have and exercise all the powers and be charged with all  
6 the duties relative to the construction, reconstruction, care  
7 and maintenance of the streets, highways, bridges, sidewalks,  
8 drains, sewers and parks in said city which are now con-  
9 ferred or imposed upon the city council, municipal officers,  
10 street commissioner, sewer board or park commissioners by  
11 the charter and ordinances of said city or the general laws  
12 of the state. Provided, however, that the municipal officers  
13 shall, as heretofore, retain their jurisdiction in regard to the  
14 question whether public drains or common sewers shall be  
15 constructed and as to the location thereof, and as to all  
16 assessments connected therewith and as to assessments for  
17 permanent improvements to street gutters and sidewalks,  
18 and provided further that the city council shall retain, as  
19 heretofore, its jurisdiction in regard to the laying out, estab-  
20 lishment, widening of or other alteration of any street or  
21 public way and in regard to the determination of damages  
22 therefor and of all assessments connected therewith. No  
23 member, except the mayor, shall hold any office under said  
24 city during his term nor shall he receive any compensation  
25 for his services as such member. If one of such other mem-  
26 bers becomes mayor another shall be elected in his place,  
27 as hereinafter provided.

At their first election in the year nineteen hundred and  
2 twenty-two the other six members of the board shall be  
3 elected, two for one year, two for two years and two for  
4 three years, all from the first Monday in January in the

5 year nineteen hundred and twenty-two, and thereafter on  
6 the first Monday of each January two shall be elected for  
7 a term of three years therefrom; on the first election no  
8 more than three and thereafter no more than one shall be  
9 chosen from the same political party.

All such members shall be legal voters in and residents of  
2 said city and shall be sworn to the faithful performance of  
3 their duties by the mayor, city clerk or any justice of the  
4 peace or notary public in said city.

Each vacancy in said board shall be filled by the city coun-  
2 cil for the unexpired term and the new member so elected  
3 shall be of the same political party as that of the person  
4 whose death, resignation or removal has caused such va-  
5 cancy.

No member of the board during his term of office shall be  
2 interested, directly or indirectly, in any contract entered into  
3 by or under authority of the board.

On the first Monday in January, nineteen hundred and  
2 twenty-two, the offices of park commissioners and the sewer  
3 board shall be abolished and the terms of office of the then  
4 incumbents shall cease.

Sect. 7. On the first Monday in each January, or as soon  
2 thereafter as may be, the board of public works shall elect  
3 a secretary whose duty it shall be to keep a record of the  
4 proceedings of the board, notify members of meetings and  
5 perform such other duties as the board may direct; said  
6 secretary shall be sworn to the faithful performance of his

7 duties by the mayor, city clerk or any justice of the peace  
8 or notary public in said city, and his compensation shall be  
9 fixed by the board and paid from the appropriation made  
10 by the city council for the work of the board.

Said board of public works shall on the first Monday in  
2 each January, or as soon thereafter as may be, choose the  
3 following named subordinate officers for said city, (instead  
4 of being elected by the city council, as heretofore) who are  
5 to serve at the pleasure of and under the direction and super-  
6 vision of the board, viz: the city engineer, so called, who  
7 shall also be the street commissioner; the superintendent of  
8 sewers and superintendent of parks. Said board shall fix  
9 the salaries or compensation of all such officers, to be paid  
10 from the appropriation made for the work of the board.  
11 The board shall not incur expenses in excess of the appro-  
12 priations made for the board by the city council. All pay-  
13 rolls and bills for work done or materials furnished by  
14 authority of the board, which have not been passed upon  
15 by them, shall be approved by the chairman, or, in his ab-  
16 sence, by some member designated by him.

Sect. 8. The board shall, at the beginning of each finan-  
2 cial year, submit to the city council for its guidance in mak-  
3 ing appropriations, a statement of work proposed to be done  
4 in the several departments under the jurisdiction of the  
5 board, with approximate estimates of cost and such other  
6 information regarding the work as the city council may  
7 require, and shall, at the close of the year, make a full de-

8 tailed report to the city council of receipts and expenditures  
9 and all work done.

Sect. 9. The terms of office of all members of boards or  
2 of subordinate officers elected by the city council to serve  
3 until March, nineteen hundred and twenty-two, shall expire  
4 on the first Monday in January, nineteen hundred and twen-  
5 ty-two, and the terms of those so elected to serve for a term  
6 extending beyond March, nineteen hundred and twenty-two,  
7 shall expire on the first Monday in January next prior to  
8 the end of the term for which they were so elected.

Sect. 10. All provisions of the city charter of said city,  
2 or amendments or additions thereto, and all provisions of  
3 any other acts which are inconsistent with the provisions of  
4 this act, are hereby repealed.

Sect. 11. This act shall not take effect unless at the reg-  
2 ular election in said city in March in the year nineteen hun-  
3 dred and twenty-one a desire for its adoption shall have  
4 been manifested by a majority of the legal votes cast on  
5 the question, which question shall have been submitted to  
6 the people at said election, after such notice as may be re-  
7 quired by the municipal officers of said city.