

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 84

House of Representatives, Feb. 9, 1923.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Tilden of Hallowell.

STATE OF MAINE

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

AN ACT to Amend the Charter of the City of Hallowell,
Relative to the Appointment of the City Marshal and Street
Commissioner.

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

Section 1. The city marshal and the street commissioner
2 for the city of Hallowell shall be appointed by the mayor
3 and such appointments shall be made and take effect as
4 soon as convenient after the beginning of the mayor's term
5 of office not exceeding a period of one month, and said
6 officers shall hold their respective offices during the term
7 for which the mayor was elected, and until others are re-
8 spectively appointed and qualified in their places, subject
9 to removal by the mayor at his pleasure; and the mayor

10 shall have and exercise the same power of appointment to
11 fill any vacancy from any cause in either of said offices,
12 but any person so appointed to fill a vacancy from any
13 cause other than expiration of the term of office, shall hold
14 said office during the unexpired term of his predecessor,
15 subject to removal by the mayor at his pleasure.

Sect. 2. Section one of this act shall take effect only
2 when accepted, as hereinafter provided, by the electors of
3 said city qualified to vote in a municipal election. Said
4 section shall be submitted to be voted upon by the qualified
5 electors of said city at any election which may be duly and
6 legally called for any other purpose, including any election
7 for the referendum of any other question or questions, held
8 in said city and at which said electors are entitled to vote,
9 prior to the fourth Monday of September, nineteen hun-
10 dred twenty-three; if no such election shall occur before
11 said date, then at a special election to be held on the fourth
12 Monday of September, nineteen hundred twenty-three.
13 Said election on whatever date held as above provided shall
14 be called, advertised and conducted according to the law
15 relating to municipal elections in said city. The ballots to
16 be used in said election shall be in such form as to permit
17 said section one of this act to be voted on separately by
18 an expression of the voter's opinion on the following ques-
19 tion relating thereto:

Shall the city marshal and street commissioner be appointed
2 by the mayor, to serve through the mayor's term of office,
3 subject to removal by the mayor at his pleasure?

Opposite and to the right of said question shall be printed
2 the two words "Yes" and "No" with the usual squares in
3 which the voter is to mark in the manner required by law
4 to express his opinion. Other brief and suitable explana-
5 tion of the subject matter submitted may be printed on the
6 ballots which in other respects shall conform with all the
7 requirements of law. If the section so submitted shall re-
8 ceive more affirmative than negative votes at said election,
9 it shall be deemed to have been accepted and shall there-
10 upon be in full force and effect. The result of said election
11 shall be declared by the mayor and aldermen, and due cer-
12 tificate thereof filed with the city clerk and with the secre-
13 tary of state. A printed copy of the full text of the first
14 section of this act shall be posted with each notice of said
15 election, and two copies shall be kept posted in each voting
16 place in said city during said election.

Sect. 3. All acts and parts of acts inconsistent herewith,
2 and all provisions of the charter and ordinances of the said
3 city of Hallowell inconsistent with this act, are hereby
4 modified so as to conform to the provisions of this act;
5 striking out the words "city marshal" and the words "street
6 commissioner," wherever such striking out is necessary to
7 effect the intent of this act. But this section shall take
8 effect as to the subject matter covered by section one of
9 this act only when said section is finally accepted by the
10 electors of said city of Hallowell, as provided in section
11 two of this act.