

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - THIRD LEGISLATURE

Senate Document

No. 283

S. P. 539

In Senate, Mar. 25, 1927.

Reported by Senator Dwinal from Committee on Legal Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dwinal of Knox.

STATE OF MAINE

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

AN ACT to Provide a Town Manager Form of Government
for the Town of Camden.

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

Section 1. On and after the passage of this act and its
2 adoption by the town as hereinafter provided, annual town
3 meetings shall be held in the town of Camden, in the county
4 of Knox, on the second Monday of March, in each year,
5 and the voters shall then choose by ballot, as now pro-
6 vided by law, a moderator.

Sect. 2. At such meetings as provided in section one, the
2 voters shall then choose by ballot as provided by chapter
3 seventy of the laws of nineteen hundred and twenty-one,

4 three, five or seven inhabitants of said town to be select-
5 men and overseers of the poor, and assessors of taxes, a
6 treasurer, collector of taxes, clerk, auditor of accounts, and
7 three members of the school board, one for a term of one
8 year, one for a term of two years, and one for a term of
9 three years and thereafter, at each of said annual meetings,
10 shall elect one said member of the school board for a
11 term of three years. All other necessary town officers, in-
12 cluding a town manager, shall be appointed as herein pro-
13 vided.

Sect. 3. The board of assessors of taxes provided for in
2 section two shall serve instead of the assessors of taxes
3 provided for by general statutes and shall have the same
4 powers and be subject to the same duties.

Sect. 4. The selectmen elected as herein provided shall
2 meet within twenty-four hours after their election and shall
3 choose by written ballot one of their number to be chair-
4 man, and shall appoint a secretary, an affidavit of such
5 choice of chairman with the appointment of the secretary,
6 signed by all the selectmen, shall be recorded by the town
7 clerk in the records of said town and thereafter records
8 shall be kept of the doings of all meetings of said select-
9 men. Said records shall be deemed public records and shall
10 be open at all time to any citizen of said town.

Sect. 5. Said selectmen, elected as herein provided, shall
2 serve instead of the overseer of the poor, board of road
3 commissioners, road commissioner or road commissicners

4 as provided for by general statutes and shall have the same
5 powers in relation to the poor of said town and repairs
6 of bridges, roads and sidewalks of said town, as the over-
7 seers or overseer of the poor and board of road commis-
8 sioners, road commissioner or commissioners, and munic-
9 ipal officers have under general statutes, and be subject to
10 the same duties in relation thereto. The school board,
11 elected as herein provided, shall have the same powers in
12 relation to the schools of said town as now provided by
13 statute and shall be subject to the same duties in relation
14 thereto. The selectmen shall meet regularly once each week
15 during their term of office at such time as they may desig-
16 nate at their organization meeting, provided for in section
17 four, and a majority of said selectmen shall constitute a
18 quorum for the transaction of business. Special meetings
19 of said selectmen may be called by the chairman of said
20 selectmen or by a majority of all the members of said
21 selectmen. Notice of such special meeting shall be served
22 upon or left at the usual dwelling place of each selectman
23 and the town manager.

Sect. 6. Each selectman shall receive for his services as
2 assessor of taxes the sum of one hundred dollars, together
3 with his actual and necessary expenses incurred in the
4 performance of his duties, to be paid by the town treasurer.

Sect. 7. Said selectmen shall, by ballot by a majority vote,
2 not later than at the third regular meeting of said select-
3 men, after said organization meeting, shall by a majority

4 vote, appoint a town manager, said office of town manager
5 being hereby created, and a health officer, none of whom
6 shall be a member of said board of selectmen. The select-
7 men may, when a vacancy exists in the office of town
8 manager, appoint said town manager for a term not ex-
9 ceeding three years. Said selectmen as overseers of the
10 poor, as herein provided, may authorize the town manager,
11 at the time of his appointment aforesaid, or at any time
12 thereafter, to be clerk or agent for them as said overseers
13 of the poor, to sign and send the written notices and the
14 written answers referred to in section thirty-five and section
15 thirty-six of chapter twenty-nine of the revised statutes, and
16 acts, additional thereto, and amendatory thereof. And such
17 written notices and written answers shall have the same
18 effect as if signed and sent by the members of the select-
19 men, as overseers of the poor, themselves. Said town man-
20 ager shall, on and after his appointment as aforesaid, be
21 the superintendent of roads of said town.

Sect. 8. All other necessary town officers, now or here-
2 after, provided by general statute or town ordinance, shall
3 be appointed by the town manager, subject to confirmation
4 by the selectmen.

Sect. 9. All appointed officers and boards shall hold office
2 at the pleasure of the appointing power, except that of town
3 manager and health officer, who can only be removed upon
4 written charges and a public hearing before the selectmen,
5 upon the question previous to the date of his removal, but

6 pending such hearing, the selectmen may suspend them from
7 office.

Sect. 10. The town manager shall be chosen by the select-
2 men solely on the basis of his executive and administrative
3 qualifications and his technical knowledge for road con-
4 struction, preference in making said appointment to be given
5 to a duly qualified civil engineer when possible, and he
6 shall be the administrative head of the town government,
7 and shall be responsible to the selectmen for the adminis-
8 tration of all departments of the town over which the
9 selectmen under this act, and the general statutes have
10 control, and his powers and duties, where not otherwise
11 herein provided, shall be generally as follows:

(a) To see that the laws and ordinances are enforced.

(b) To exercise control over all departments created
2 herein or that may hereafter be created, either by general
3 law or ordinance.

(c) To make appointments and removals as provided
2 herein.

(d) To fix the compensation of his appointees, and desig-
2 nate the times of payment subject to confirmation by said
3 selectmen.

(e) To act as purchasing agent for all departments of
2 the town.

(f) To attend the meetings of the board of selectmen,
2 except when his removal is being considered, and recom-
3 mend for adoption such measures as he may deem expedient.

(g) To keep the selectmen fully advised as to the business, financial condition, and future needs of the town.

(h) To perform such other duties as may be prescribed by the selectmen.

Sect. 11. As purchasing agent of said town the town manager shall purchase all supplies and materials for the town and for the several departments with the exception of the school department, and shall see to the delivery of such supplies and materials to each department, and shall take and file receipts thereof, and all accounts for the purchase of supplies and materials and work performed for said town with the exception of accounts for the purchase of supplies and materials and work for the school department, shall bear the approval of the town manager when presented to the selectmen for payment.

Sect. 12. The town manager shall devote his entire time to his said office, and shall receive for his services a rate of compensation to be fixed by the selectmen and actual and necessary expenses incurred in the performance of his duties, to be paid by the town treasurer in monthly payments on the first day of every month.

Sect. 13. All town officers elected or appointed shall be sworn by the town clerk to the faithful performance of the duties of their respective offices.

Sect. 14. When not otherwise provided herein or by law, the compensation and fees of officers of said town shall be fixed by a vote of the town at its annual meetings.

Sect. 15. No money shall be paid out of the town treasury except by order issued and signed by the selectmen or their representative authorized for the purpose and presented to the treasurer of said town at the time of payment.

Sect. 16. The selectmen of said town shall require a bond with sufficient surety or sureties, satisfactory to said selectmen, from all persons trusted with the collection, custody or disbursement of any of the moneys of the said town; and may require such bond from such officials as they may deem advisable.

Sect. 17. All acts or parts of acts inconsistent herewith in so far as they relate to the town of Camden in the county of Knox are hereby repealed.

Sect. 18. This act shall not become operative until it is ratified by said town of Camden, at an annual town meeting called by a warrant containing an article for the purpose, within two years of the passage of this act, and when so ratified shall take effect on the first day of January thereafter.