

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 213

H. P. 613 House of Representatives, Jan. 28, 1931.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sargent of Brewer.

STATE OF MAINE

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

AN ACT to Amend An Act Entitled "An Act to Incorporate
the City of Brewer High School District."

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

Section four of chapter four of the private and special laws of nineteen hundred and twenty-five, as amended by chapter two of the private and special laws of nineteen hundred and twenty-nine is hereby further amended by adding at the end of said section four as amended the words:

'At the first meeting the trustees so elected shall determine by lot the term of office of each trustee so that one trustee shall retire each year and the term of office of the first trustee to expire shall end at the end of the municipal year of the city of Brewer following the acceptance of this act, and thereafter the term of office of a trustee shall expire and his successor shall be elected by a plurality vote of the voters of said district voting upon the date of the annual election of said city and upon nomination made as is herein provided for the first election of trustees. The trustees so elected shall serve the full term of five years and in case any vacancy arises in the membership of the board of trustees it shall be filled by the city council of said city of Brewer for the unexpired term. When any trustee ceases to be a resident of said district he vacates the office of the trustee and the vacancy shall be filled

as aforesaid. All such trustees shall be eligible to re-election. No member except the treasurer shall receive compensation for his services and the treasurer shall receive in full compensation for his services an amount to be fixed by the city council of the said city of Brewer and such salary and all expenses of the district shall be paid from the funds of the district. At the close of each fiscal year the trustees shall make a detailed report of their doings, of the financial condition of said district and the physical condition of said high school building, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, said reports to be made, attested to and filed with the municipal officers of said city.

The election of the trustee of the City of Brewer High School District on December nine, one thousand nine hundred and twenty-nine and the election of the trustee of said district on December eight, one thousand nine hundred and thirty are hereby validated, and all the acts and doings of each of said trustees so elected, and all the acts and doings of the Board of Trustees of said City of Brewer High School District of which said board, said trustees were elected members are also hereby validated.' so that said section four as further amended shall read as follows:

'Sect. 4. The trustees so to be elected shall be elected by a plurality vote of the legal voters of said district voting at the special election provided for in section nine. All nominations of candidates so to be voted for shall be made by nomination papers signed in the aggregate for each candidate by no less than fifty qualified voters resident in said district. Each voter signing a nomination paper shall make his signature in person, and each voter may subscribe to as many nominations as there are trustees to be elected in said district and no more. Such nomination papers shall, before being filed, be submitted to the city clerk of the city of Brewer, who shall forthwith certify thereon what number of the signatures are names of qualified voters resident in said district; one of the signers to each such separate paper shall swear to the truth thereof, and the certificate of such oath shall be annexed to or made upon the nomination papers. Such nomination papers shall be filed with the city clerk of said city of Brewer at least fourteen days,

exclusive of Sundays, previous to the day of such election. With such nomination papers shall also be filed the consent in writing of the person or persons nominated. All nomination papers, being filed and being in apparent conformity with the foregoing provisions, shall be deemed to be valid; and if not in apparent conformity they may be seasonably amended under oath. In case any candidate who has been duly nominated under the provisions hereof shall die before the day of election, or shall withdraw in writing, or shall remove his place of residence from said district, the vacancy may be supplied in the manner herein provided for such nominations. The name so supplied for the vacancy shall, if the ballots have not been printed, be placed on the ballots instead of the original nomination; or if the ballots have been printed, new ballots containing the new nomination shall, if practicable, be furnished, or slips containing the new nomination shall be printed under the direction of said city clerk which shall be pasted upon said ballots and over the name of the candidate whose nomination has been vacated as aforesaid, and thereafter shall become part of said ballots as if originally printed thereon. The ballot in said district shall contain the names of all candidates so nominated in such district alphabetically arranged, printed in one column under the heading, "For Trustees of the City of Brewer High School District." Above such heading shall be printed, "Vote for five. Make a cross to the right of each name voted for." As many blank spaces shall be left after the names of the candidates as there are trustees to be elected, in which the voter may by writing insert the name of any person or persons for whom he desires to vote. In preparing his ballot the voter shall mark a cross (X) against and to the right of such name on said ballot as he desires to vote for, not to exceed the number of trustees so to be elected in said district. If the voter shall desire to vote for any person or persons whose name or names are not printed on the ballot, he may fill in such name or names in the blank spaces left therefor by writing the same therein, or by using a sticker or stickers containing such new name or names. Where the voter so adds by writing such new name or names, his vote for such new name or names shall be counted therefor although he may fail to mark a cross against the same. The result of such election shall be declared by the municipal officers of the city

of Brewer and due certificate thereof filed with the city clerk thereof. The term of office of the trustee shall begin on the date of the special election provided for in this act. As soon as convenient after all the members of said board have been so chosen, the trustees shall hold a meeting at the city rooms in the city of Brewer, to be called by one of the trustees upon such reasonable notice therefor as he may deem proper. They shall organize by the election from their own membership of a president, clerk and treasurer, adopt a corporate seal and may employ all needful officers and agents for the proper conduct and management of the affairs of the district and annually thereafter at the beginning of each municipal year the trustees shall organize as hereinbefore provided.

At the first meeting the trustees so elected shall determine by lot the term of office of each trustee so that one trustee shall retire each year and the term of office of the first trustee to expire shall end at the end of the municipal year of the city of Brewer following the acceptance of this act, and thereafter the term of office of a trustee shall expire and his successor shall be elected by a plurality vote of the voters of said district voting upon the date of the annual election of said city and upon nomination made as is herein provided for the first election of trustees. The trustees so elected shall serve the full term of five years and in case any vacancy arises in the membership of the board of trustees it shall be filled by the city council of said city of Brewer for the unexpired term. When any trustee ceases to be a resident of said district he vacates the office of the trustee and the vacancy shall be filled as aforesaid. All such trustees shall be eligible to re-election. No member except the treasurer shall receive compensation for his services and the treasurer shall receive in full compensation for his services an amount to be fixed by the city council of the said city of Brewer and such salary and all expenses of the district shall be paid from the funds of the district. At the close of each fiscal year the trustees shall make a detailed report of their doings, of the financial condition of said district and the physical condition of said high school building, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of

their trust, said reports to be made, attested to and filed with the municipal officers of said city.

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