

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 779

H. P. 1190 House of Representatives, Feb. 27, 1931.

Reported by Mr. Jack from Committee on Legal Affairs and laid on Table to be printed under Joint Rules.

CLYDE R. CHAPMAN, Clerk.

New Draft of H. P. 834, L. D. 316.

STATE OF MAINE

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

AN ACT Relating to the Highway Commission of the City of
Lewiston.

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

Section 1. Clerical Amendment. Section two of chapter one hundred forty-four of the private and special laws of nineteen hundred and twenty-one is hereby amended by striking out in the third line of said section the words "a resident" and substituting in place thereof the word 'residents', so that said section, as amended, shall read as follows:

'Sec. 2. Commission to consist of three members. Said commission shall consist of three members, all of whom shall be residents of said Lewiston, and each member shall be sworn by the city clerk of said city to the faithful discharge of his duties, and shall hold his office as hereinafter provided unless removed by a justice of the supreme judicial or superior court for cause.'

Sec. 2. Exception made in the case of mayor. Section three of chapter one hundred forty-four of the private and special laws of nineteen hundred twenty-one is hereby amended by inserting in the second line of said section after the word "office" the words 'except the mayor of said city who shall be a member of said commission ex-officio, and shall serve without

additional compensation'; and by inserting in the third line of said section after the word "streets" the words 'except the mayor', so that said section as amended shall read as follows:

'Sec. 3. Members not eligible to city council; shall take no active part in politics. No member of said commission shall be eligible to the city council or hold any city office except the mayor of said city who shall be a member of said commission ex-officio, and shall serve without additional compensation. No member of the commission or the superintendent of streets, except the said mayor, shall take any active part in politics. Any violation shall be considered cause for removal.'

Sec. 3. Salary reduced. Section eight of chapter one hundred and forty-four of the private and special laws of nineteen hundred twenty one is hereby amended by inserting in the first line of said section after the word "commissioners" the words 'with the exception of the mayor'; and by striking out in the second line of said section the words "one thousand" and substituting in place thereof the words 'two hundred', so that said section as amended shall read as follows:

'Sec. 8. The commissioners, with the exception of the mayor, shall receive a salary of two hundred dollars per annum, payable in equal monthly instalments by the city treasurer, said sum shall be in full compensation for all services.'

Sec. 4. Appointment of members of commission. Section ten of chapter one hundred and forty-four of the private and special laws of nineteen hundred twenty-one, is hereby amended by striking out the first sentence of said section and substituting in place thereof the following sentences: 'Two members of the commission shall be appointed by the mayor; one for a term of two years and one for a term of one year. one of the two appointees shall be a member of the majority party and the other shall be a member of the minority party. Upon the expiration of the term of any member, the mayor shall appoint a successor who shall serve for a term of two years and shall be a member of the same political party as his predecessor. Vacancies occurring in the membership of said commission shall be filled by the mayor who shall appoint to fill said vacancy for the unexpired term, a member of the same political party as that of the member causing such vacancy,' so that said section as amended shall read as follows:

'Sec. 10. Appointment of members of commission. Two members of the commission shall be appointed by the mayor; one for a term of two years and one for a term of one year. One of the two appointees shall be a member of the majority party and the other shall be a member of the minority party. Upon the expiration of the term of any member, the mayor shall appoint a successor who shall serve for a term of two years and shall be a member of the same political party as his predecessor. Vacancies occurring in the membership of said commission shall be filled by the mayor who shall appoint to fill said vacancy for the unexpired term, a member of the same political party as that of the member causing said vacancy. The mayor shall act as chairman of said commission. The corporation counsel shall act as attorney for said commission and shall give such advice and service as may be required by the commission without any additional compensation.'

Sec. 5. Referendum; date of meeting; form of question; procedure. This act shall be submitted for approval or rejection to the qualified voters of the city of Lewiston at an election to be held the second Monday in September in the year A. D. nineteen hundred and thirty-one and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said city to meet in the several ward meetings of said city, there to cast their ballot concerning the acceptance of this act for the city of Lewiston. The vote shall be taken by ballot at said election in answer to the question: "Shall an act passed by the legislature in the year nineteen hundred and thirty-one, entitled 'An act relating to Highway Commission of Lewiston', be accepted?" Which shall be printed on the official ballots and at said election the voters of said city in favor of accepting this act shall vote "Yes" and those opposed shall vote "No."

Otherwise said ballot shall be in the form provided by law when a constitutional amendment is submitted to the vote of the people. The provisions of law relating to the preparation of voting lists for municipal elections shall apply to such election and said election shall in all other respects be conducted by law, and the results thereof shall be determined in the manner now provided by law for the determination of the elec-

tion of mayor. If a majority of the valid ballots cast as aforesaid shall favor accepting the same, then this act shall forthwith take effect as herein provided.

Sec. 6. Date when effective. So much of this act as authorizes the submission of the acceptance of this act to the voters of the city of Lewiston shall take effect as provided in the constitution of the state, but it shall not take further effect unless adopted by the voters of the city of Lewiston as hereinbefore provided.