

# MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H   L E G I S L A T U R E

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Legislative Document

NO. 351

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H. P. 882

House of Representatives, Feb. 1, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Audet of Lewiston.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-  
THREE

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AN ACT to Simplify the Charter of the City of Lewiston.

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

**Sec. 1. Election of officers; tenure of office.** At the regular municipal election to be held on the 1st Monday of March next after this act goes into effect the following officers of the city of Lewiston shall be elected to serve for a term of 2 years beginning on the 3rd Monday of March, or until their successors are elected and qualified, and thereafter said officers shall be elected biennially to serve for a term of 2 years, namely, the mayor, 7 aldermen who compose the city council, being 1 from each ward, 7 members of the superintending school committee, being 1 from each ward, and a warden and a ward clerk for each ward.

**Sec. 2. Compensation.** The mayor shall receive such compensation as shall be determined and voted by the previous city council at the time of the passage of the annual salary resolve, which shall not be increased or diminished during his term of office. The aldermen and school committeemen shall serve without compensation. The wardens and ward clerks shall receive such per diem compensation as shall be determined and voted by the city council in the annual salary resolve.

**Sec. 3. Officers and employees, election of; term; compensation.** On the 3rd Monday of March, or as soon thereafter as convenient, following the 1st municipal election, and biennially thereafterwards, the city council

shall elect such officers and employees of the city as the council is now empowered by law or ordinance to elect, and such others as may from time to time be provided. Said officers shall serve for a term of 2 years and until their successors are chosen and qualified; except that the assessors of taxes shall continue to be elected as at present provided, and to serve for the terms at present provided. Employees who are not required by the general law or existing special act may be chosen by the city council or any of its committees to serve at the pleasure of the council. The compensation of all officers and employees of the city of every description except those chosen by the superintending school committee, shall be determined and voted by the city council annually at the time of the passage of the salary resolve.

**Sec. 4. Commissions and boards; members; terms of office.** The mayor shall be, by virtue of his office, chairman of the highway commission, chairman of the police commission, chairman of the board of water commissioners, and chairman of the board of overseers of the poor. He shall serve as such without extra compensation. The other members of the highway commission shall continue to serve as now provided by law, except that their compensation shall be determined and voted by the city council in the annual salary resolve. The members of the police commission as now constituted shall continue to serve until the 3rd Monday of March following the 1st municipal election after this act goes into force; at which time the mayor shall appoint 2 members, 1 for 2 years and 1 for 4 years, and thereafterwards the members of the commission shall be appointed for a term of 4 years. They shall receive such compensation as the city council shall determine and vote in its annual salary resolve. The terms of office of police officers and the civil service requirements now existing by law shall not be disturbed, except that the compensation of police officers including chief, captains, inspectors, police matron, patrolmen, and all other employees of the police department shall be determined and voted annually by the city council in its salary resolve and may be changed annually. The members of the board of water commissioners as now constituted shall continue to serve until the 3rd Monday of March following the municipal election at which time, or as soon thereafter as may be convenient, the mayor shall appoint 2 members, 1 for 2 years and 1 for 4 years, and thereafter the members shall be appointed for a term of 4 years each. In other respects the provisions of law now governing the Lewiston Water Department shall not be disturbed, except that the compensation of all employees of every description shall be determined and voted by the city council annually in its salary resolve. The compensation of all employees of the Poor Department shall be deter-

mined and voted annually by the overseers of the poor. In other respects all the provisions of the general law special acts, and the ordinances of the city of Lewiston relating to support of poor shall continue to apply to the Poor Department.

**Sec. 5. City physician.** The city physician shall be elected for a term of 2 years and his salary to be determined by the city council at the annual salary resolve.

**Sec. 6. Superintending school committee.** The members of the superintending school committee in office at the time of the adoption of this act shall continue to serve until the 1st day of September following. At the 1st municipal election following the adoption of this act a committee composed of 7 members, 1 chosen from each ward, shall be elected for a term of 2 years, and thereafterwards biennially. They shall take office on the 1st day of September following their election.

**Sec. 7. Fire department; civil service requirements.** The fire commissioner in office at the time this act goes into effect shall continue to serve until the 3rd Monday of March or as soon thereafter as convenient, following the 1st municipal election after the adoption of this act at which time the mayor shall appoint a successor who shall serve for a term of 2 years and until his successor is appointed and qualified, and shall receive such compensation as shall be determined and voted by the city council in its annual salary resolve. The terms of office and civil service requirements now provided by law for members of the fire department shall remain in effect, except that the compensation of the members, officers, and employees of the fire department shall be determined and voted annually by the city council in its salary resolve, and that no additional members or employees of the department shall be appointed except with the consent of the city council in public meeting.

**Sec. 8. City officers; term, compensation.** The city clerk, city auditor and all other officers now appointed by the mayor shall continue to be so appointed, and to serve for a term of 2 years each, except that the compensation of such officers, and of all employees in their offices, shall be determined and voted annually by the city council in its salary resolve.

**Sec. 9. Inconsistent acts repealed.** All acts and parts of acts in conflict herewith are hereby repealed. In case of doubt as to the powers intended to be conferred, this act shall be construed as intending to confer upon the mayor the most liberal authority and responsibility for the administration of the municipal government, and upon the city council the authority for determining the compensation of all officials and employees of the city.

**Sec. 10. Referendum.** 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 2nd Monday in September in the year 1933 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 1933 entitled 'An Act to simplify the Charter of the City 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 election of the 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. 11. Effective date of act.** 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.