

MAINE STATE LEGISLATURE

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DECEMBER SPECIAL SESSION

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

Legislative Document

No. 180

New Draft of H. P. 103—L. D. 148

H. P. 148

House of Representatives, Dec. 14, 1933.

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

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND
THIRTY-THREE

AN ACT Relating to the School Board of the City of Lewiston.

Emergency Preamble. Whereas, a special election would incur additional expense to the city of Lewiston; and

Whereas, it is necessary that the city put in practice every possible means of economy; and

Whereas, if this act is not passed immediately it will unnecessarily increase the financial burden of the city by making necessary the expense of a special election; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore

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

Sec. 1, P. & S. L., 1868, c. 465, § 1, amended. Section 1 of chapter 465 of the private and special laws of 1868 is hereby amended by striking out all of said section and substituting in place thereof the following, to wit:

'Sec. 1-A. School committee. The superintending school committee of the city of Lewiston shall consist of the mayor, ex-officio, and 4 members appointed by the mayor as hereinafter provided.'

'Sec. 1-B. Appointments; terms. Appointments shall be made in the

month of March annually for the term of 4 years from the 1st day of April next ensuing; provided that the members appointed in the month of March 1934, shall be appointed for 1, 2, 3, and 4 years, respectively, as designated by the mayor in their appointment. Vacancies occurring during any term shall be filled by appointment for the unexpired term.'

'Sec. 2. Effective date of act. This act shall take effect only on its acceptance by the voters of the city of Lewiston in the manner hereinafter provided for, except in that the holding of such election is hereby authorized.'

'Sec. 3. Submission to voters. 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 1st Monday in March, 1934, 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 rooms of said city, there to cast their ballots 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 Relating to the School Board of the City of Lewiston' be accepted?" which question 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 and the results thereof shall be determined in the manner now provided by law for the determination of the election 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; otherwise, it shall become null and void.'

Sec. 4. P. & S. L., 1868, c. 465, § 2, amended. Section 2 of chapter 465 of the private and special laws of 1868 is hereby amended to read as follows:

'Sec. 2. Powers and duties. The superintending school committee of said city of Lewiston, may exercise all the powers conferred, and shall discharge all the duties imposed, by law, on superintending school committees and district school agents; and they may also appoint a superintendent of schools, for such term and with such compensation as the city council of said city of Lewiston may determine. Such superintendent may be removed at the pleasure of said committee, and any vacancy shall be

filled by their appointment; **provided that while a superintendent of schools is so employed said committee shall serve without compensation.'**

Emergency Clause. In view of the emergency created as recited in the preamble this act shall take effect when approved.