MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document No. 408

H. P. 1071 House of Representatives, February 5, 1935.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Churchill of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-FIVE

AN ACT to Amend the Charter of the City of Brewer.

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

Sec. 1. P. & S. L., 1931, c. 75, art. II, § 3, ¶ 1, amended. Paragraph 1 of section 3 of article II of chapter 75 of the private and special laws of 1931 is hereby amended to read as follows:

'At the first meeting annually, or as soon thereafter as possible, the city council shall elect by majority vote of the entire council one of its members as chairman of the council for the ensuing year, and the city council may fill for the unexpired term any vacancy in the office of chairman that may occur. The chairman shall preside at all meetings of the city council and shall perform such other duties consistent with this office as the council may provide. He shall be entitled to vote and his vote shall be counted upon all matters and things as a vote of other members of the council. The chairman shall be recognized as the official head of the city ~~for ceremonial purposes~~ **and known and styled as mayor** and shall have the powers and authority given to and perform the duties required of mayors of cities for all purposes of military law, and shall act ~~in lieu of the~~ as mayor in so far as representation is provided for the city by the mayor upon any board or commission or otherwise by any statute. In the temporary absence or disability of the chairman, the city council may select a

chairman pro tempore from among its number and he shall exercise the powers of the chairman.'

Sec. 2. P. & S. L., 1931, c. 75, art. V, § 1, amended. Section 1 of article V of chapter 75 of the private and special laws of 1931 is hereby amended to read as follows:

'**Sec. 1. Boards and officers.** There shall be the following administrative boards and officers:

(A) The following boards and officers shall be appointed by ballot by a majority vote of the members of the city council; city manager, city clerk, city treasurer, collector of taxes, assessors of taxes, auditor of accounts, city solicitor, ~~chief of police~~, secretary to overseers of the poor, health officer, whose term of office and duties shall be as provided under chapter 22, section 8 of the revised statutes, and 2 members of the board of registration under chapter 6, section 8 of the revised statutes.

(B) The following officers shall be appointed by the city manager, subject to confirmation by the city council: **chief of police,** chief of the fire department and inspector of fires, superintendent of fire alarms and inspector of electrical wiring, road commissioner, inspector of buildings, superintendent of sewers, inspector of plumbing, milk inspector, not more than 6 constables, and all other officers and employees the appointment of whom is not otherwise provided for by this charter or by ordinance.'

Sec. 3. P. & S. L., 1931, c. 75, art. VII, § 1, amended. Section 1 of article VII of chapter 75 of the private and special laws of 1931 is hereby amended to read as follows:

'**Sec. 1. City councilmen, not to hold other office; exception.** No member of the city council, during the term for which he was chosen as such member, shall be eligible for any other office, the salary of which is payable by the city, nor shall he during such term, hold such other office, **except that a member of the city council may be elected a member of the board of assessors and receive remuneration therefor as such member.'**