

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 295

H. P. 556

House of Representatives, February 4, 1943.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT to Amend the Houlton Town Manager Form of Government Act.

Emergency preamble. Whereas, the town of Houlton, in the county of Aroostook has certain expenses and liabilities which must be met as they become due, and

Whereas, it is immediately necessary that provisions be made for raising revenue and for the general government of said town, and

Whereas, it is highly important and necessary that said town of Houlton may be enabled to set up a reserve fund, and

Whereas, the aforesaid are immediately necessary for the preservation of the public peace, health and safety and in the judgment of this legislature, these facts constitute an emergency as contemplated by the constitution within the meaning of section 16 of Article XXXI of the constitution of Maine; now, therefore,

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

Sec. 1. P. & S. L., 1939, c. 3, § 2, amended. Section 2 of chapter 3 of the private and special laws of 1939 is hereby amended by striking out the 1st paragraph thereof and inserting in its place the following:

‘At such annual town meetings, the voters shall elect, by ballot as here-

inafter provided, 7 persons who are qualified to vote in said town to be known as councillors, and a member or members of the superintending school committee, in accordance with the revised statutes of 1930 and amendments thereto, and a trustee or trustees of the Cary Memorial Library.'

Sec. 2. P. & S. L., 1939, c. 3, § 4, amended. Section 4 of chapter 3 of the private and special laws of 1939 is hereby amended to read as follows:

'**Sec. 4. Assistant assessors.** In addition to the councillors who serve as assessors of taxes, the council may appoint 5 inhabitants of the town of Houlton to act as assistant assessors. The employment of such assistant assessors shall not extend beyond the period of the municipal year during which they are appointed. ~~Said assistant assessors shall receive not more than \$100 each for their services.~~

Sec. 3. P. & S. L., 1939, c. 3, § 6, amended. Section 6 of chapter 3 of the private and special laws of 1939 is hereby amended by adding thereto the following:

'The councillors shall have the power to enact such ordinances as are authorized by section 136 of chapter 5 of the revised statutes, as amended, first giving the notice and hearing required by section 139 of said chapter 5 of said revised statutes, as amended.'

Sec. 4. P. & S. L., 1939, c. 3, additional. Chapter 3 of the private and special laws of 1939 is hereby amended by adding thereto a new section 6-A, to read as follows:

'**Sec. 6-A. Town clerk and town treasurer.** The councillors shall have the power, and it shall be their duty, to appoint a town clerk and a town treasurer and to fix the salaries of said officials.'

Sec. 5. P. & S. L., 1939, c. 3, additional. Chapter 3 of the private and special laws of 1939 is hereby amended by adding thereto a new section 16-A, to read as follows:

'**Sec. 16-A. Reserve fund.** The town council may set up a reserve fund to consist of any unexpended balances on hand at the close of the fiscal year 1942, and the town may annually appropriate an amount not to exceed 10% of its total annual appropriation, to be added to said reserve fund.

The town council, in its discretion, may expend, in any 1 year, from said reserve fund, an amount, not exceeding 20% of the total of said reserve fund, on hand at the close of the preceding fiscal year, but any amount in

excess of such percentage may be expended only by vote of the inhabitants of Houlton at any regular or special town meeting.

Any unexpended balances of appropriations at the end of each fiscal year, excepting balances in the school fund, shall be transferred to said reserve fund by the town treasurer.

The reserve fund may be invested in the same manner as provided by section 93 of chapter 5 of the revised statutes and all acts in addition and amendment thereto.'

Sec. 6. Ratification. This act shall not become operative until ratified by the legally qualified voters of the town of Houlton, voting at a special town meeting prior to March 9, 1943, called for that purpose by an appropriate article inserted in the call for said meeting.

Such vote shall be by the Australian ballot and said ballot shall be so prepared as to allow each section of this act to be voted on separately and such sections as are ratified shall become operative on the 3rd Monday in March, 1943. The town clerk shall forthwith file with the secretary of state a certificate of the action of the town thereon.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.