

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. 515

S. P. 341

In Senate, February 11, 1943.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Buck of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Emergency Municipal Finance Board.

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

Sec. 1. P. L., 1933, c. 284, § 6, amended. Section 6 of chapter 284 of the public laws of 1933, as amended, is hereby further amended to read as follows :

Sec. 6. **May appoint temporary officials.** The commissioner or commissioners may, if in their opinion it ~~will~~ **would** be advantageous to said city, town or plantation, declare the offices of auditor, treasurer, collector and assessors, or any other ~~official~~ **offices** in said municipality, vacant temporarily and appoint successors to any or all of the said offices to serve at the pleasure of the commissioner or commissioners. The appointees shall receive such compensation as the commissioner or commissioners shall fix, and the former incumbents shall receive no compensation during their absence from office.

The choice of managers, officers and agents shall be and remain with the board and their compensation shall be fixed by such board, any other statute to the contrary notwithstanding. **The board may, however, if it deems it expedient, appoint the commissioner or commissioners to serve as any official in said municipalities and fix the compensation for serving in such**

capacity. In the event that the board shall consider it advisable, it may appoint 1 officer, ~~manager~~ **commissioner** or agent to administer 2 or more cities, towns or plantations.'

Sec. 2. P. L., 1933, c. 284, § 7, amended. Section 7 of chapter 284 of the public laws of 1933, as amended, is hereby further amended to read as follows:

'Sec 7. May make loans; may make assessments to pay deficiencies and overdrafts; municipalities to be exempt from certain legal processes. Said board is authorized after having taken over the administration of government and control of the financial affairs of any city, town or plantation, as provided hereinbefore, through the commissioner or commissioners in charge thereof, to make temporary loans to the extent of the constitutional debt limit of said city, town or plantation, and he or they are further empowered to issue negotiable commissioners' certificates, such certificates to be a preferred claim against all the assets of said city, town or plantation operated by the commissioner or commissioners, and to borrow from the state if and when an amendment to the constitution of the state is adopted authorizing the same, in a sufficient amount to pay the outstanding state taxes of said city, town or plantation and such expenses of said board as shall be allocated thereto, and for other lawful purposes; said obligations to be signed by said commissioner or commissioners and otherwise to be issued in the same manner and form as provided by law upon the terms to be determined by said board, and to thereby become the valid debt of such city, town or plantation. In issuing temporary commissioners' certificates or any other acts pursuant to their duties in connection with the government of any city, town or plantation the board shall have the same authority as is vested in the municipal officers, and shall further have the right to issue the same as if authorized by the vote of the inhabitants of any such city, town and plantation at a regular election called for the purpose. Said board shall also have authority to lay assessments upon the property in said city, town or plantation, and to collect the same, for the purpose of paying deficiencies and accounts previously contracted by said city, town or plantation. ~~During the time said commissioner or commissioners are in charge of the administration of any city, town or plantation, no suit shall be brought or maintained against such commissioner or commissioners nor against the said municipality, and the enforcement of all claims, liens, debts, judgments, attachments or other actions then pending or subsisting against said municipality shall be suspended and continued until said commissioner or commissioners shall have completed their duties and relinquished their authority over such municipality, ex-~~

cept that they may authorize the payment of any such claims in their discretion prior to such relinquishment. During the period of the control by said commissioner or commissioners, the statute of limitations shall not run on any obligations of the city, town or plantation.'