

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 382

S. P. 180

In Senate, February 6, 1945.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Welch of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

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. I. P. & S. L., 1939, c. 3, § 2, amended. Section 2 of chapter 3 of the private and special laws of 1939, as amended, is hereby further amended by striking out the 1st and 2nd paragraphs thereof and inserting in their place the following:

'At such annual town meetings, the voters shall elect, by ballot as hereinafter 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 provisions of the revised statutes of 1944 and amendments thereto, and a trustee or trustees of the Cary Library.

At the first town meeting held under the provisions of this act, said councillors shall be elected as follows: 2 for the term of one year, 2 for a term of two years, and 3 for a term of three years, and thereafter at each said annual meetings 2 councillors shall be elected as herein provided, each for a term of 3 years, provided, however, that in each third year 3 councillors shall be elected; and provided further, that vacancies in the office of the town councillors due to death, resignation or other cause may be filled by the remaining councillors for the balance of the municipal year, and that said vacancies shall be filled at the next annual town meeting for the balance of the unexpired term.'

Sec. 2. P. & S. L., 1939, c. 3, § 4, amended. Section 4 of chapter 3 of the private and special laws of 1939, as amended, is hereby further amended by striking out said section and inserting in its place the following:

'**Sec. 4. Assistant assessor or assessors.** In addition to the councillors who serve as assessors of taxes, the council may appoint one or more persons to act as an assistant assessor or as assistant assessors.'

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

'The councillors shall have the power to enact such ordinances as are authorized by section 83 of chapter 80 of the revised statutes of 1944, as amended, first giving the notice and hearing required by section 139 of said chapter 5 of the revised statutes of 1930, as amended.'

Sec. 4. P. & S. L., 1939, c. 3, additional. Chapter 3 of the private and special laws of 1939, as amended, is hereby amended by adding thereto a new section to be numbered 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. 6. Ratification. This act shall not become operative until ratified by the legally qualified voters of the town of Houlton, voting at the next

regular town meeting on an appropriate article inserted in the call for said meeting.

Such vote shall be by a majority vote of the legally qualified voters of the town of Houlton attending said meeting and each section hereof shall be voted on separately and such sections as are ratified shall become operative on the day of said meeting. 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.