

MAINE STATE LEGISLATURE

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

Legislative Document

No. 515

H. P. 852

House of Representatives, February 5, 1947

Referred to the Committee on Legal Affairs, sent up for concurrence and 1,000 ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Lord of Camden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

**AN ACT Relating to the Town Manager Form of Government for the
Town of Camden.**

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

Sec. 1. P. & S. L., 1927, c. 101, § 2, amended. Section 2 of chapter 101 of the private and special laws of 1927 is hereby repealed and the following enacted in place thereof:

Sec. 2. Officers to be elected. At the first of such meetings as provided in section 1 after the adoption of this amendment, the voters shall then choose by ballot as provided by chapter 80 of the revised statutes of 1944, 5 inhabitants of said town to be selectmen and overseers of the poor, and assessors of taxes, 1 for a term of 1 year, 2 for a term of 2 years, and 2 for a term of 3 years, and thereafter at each of said annual meetings shall elect to said board of selectmen, overseers of the poor, and assessors of taxes, for a term of 3 years each, a sufficient number of the inhabitants of said town to maintain the membership of said board at 5 in number. At said first of such meetings as provided in section 1 after the adoption of this amendment, the voters shall then choose by ballot as provided by chapter 80 of the revised statutes of 1944, 3 members of the school board, 1 for a term of 2 years, and 2 for a term of 3 years, and thereafter, at each of said

annual meetings, shall elect to said board for a term of 3 years each a sufficient number of members of said board to maintain its membership at 5 in number. All other necessary town officers shall be appointed as herein provided.'

Sec. 2. P. & S. L., 1927, c. 101, § 4, amended. Section 4 of chapter 101 of the private and special laws of 1927 is hereby amended to read as follows:

'Sec. 4. Selectmen to choose chairman; appointment of secretary. The selectmen elected as herein provided shall meet within 24 hours after their election and shall choose by written ballot one of their number to be chairman, and shall appoint a secretary ~~an affidavit of such choice of chairman with the appointment of the secretary, signed by all the selectmen of the board of selectmen, a town treasurer, a collector of taxes for the town, and a town clerk.~~ An affidavit of such choice of chairman and of said appointments, signed by a majority of the board of selectmen, shall be recorded by the town clerk in the records of said town and thereafter records shall be kept of the doings of all meetings of said selectmen. Said records shall be deemed public records and shall be open at all time to any citizen of the said town.'

Sec. 3. P. & S. L., 1927, c. 101, § 5, amended. Section 5 of chapter 101 of the private and special laws of 1927 is hereby amended to read as follows:

'Sec. 5. Selectmen; powers and duties; school board; meetings of selectmen. Said selectmen, elected as herein provided, shall serve instead of the overseer of the poor, board of road commissioners, road commissioner or road commissioners as provided for by general statutes and shall have the same powers in relation to the poor of said town and repairs of bridges, roads and sidewalks of said town, as the overseers or overseer of the poor and board of road commissioners, road commissioner or commissioners, and municipal officers have under general statutes, and be subject to the same duties in relation thereto. The school board, elected as herein provided, shall have the same powers in relation to the schools of said town as now provided by statute and shall be subject to the same duties in relation thereto. **The local school committee shall delegate 3 of its members to serve on the joint school committee.** The selectmen shall meet regularly once each ~~week~~ month during their term of office at such time as they may designate at their organization meeting, provided for in section 4, and a majority of said selectmen shall constitute a quorum for the transaction of business. Special meetings of said selectmen may be

called by the chairman of said selectmen or by a majority of all the members of said selectmen. Notice of such special meeting shall be served upon or left at the usual dwelling place of each selectman and the town manager **upon notice of a vacancy occurring for any reason in the board of selectmen or the school board, the selectmen shall call a meeting of the budget committee to be held within 10 days who shall choose one from their own membership to fill such vacancy until the next annual town meeting, when said vacancy shall be filled by election for the unexpired term.'**

Sec. 4. P. & S. L., 1927, c. 101, § 7, amended. Section 7 of chapter 101 of the private and special laws of 1927 is hereby amended to read as follows:

'Sec. 7. Selectmen to appoint town manager; health officer; may delegate certain authority to town manager. Said selectmen shall by ballot by a majority vote, not later than at the ~~third~~ 1st regular meeting of said selectmen, after said organization meeting, shall by a majority vote, appoint a town manager, said office of town manager being hereby created, and a health officer, none of whom shall be a member of said board of selectmen. The selectmen may, when a vacancy exists in the office of town manager, appoint said town manager for a term not exceeding 3 years. Said selectmen as overseers of the poor, as herein provided, may authorize the town manager, at the time of his appointment aforesaid, or at any time thereafter, to be clerk or agent for them as said overseers of the poor, to sign and send the written notices and the written answers referred to in section ~~35 and section 36~~ 127 of chapter ~~29~~ 19 of the revised statutes of 1944, and acts additional thereto, and amendatory thereof. And such written notices and written answers shall have the same effect as if signed and sent by the members of the selectmen, as overseers of the poor, themselves. Said town manager shall, on and after his appointment as aforesaid, be the superintendent of roads of said town. **Nothing in this section shall interfere with the selectmen delegating other official duties to the town manager.'**

Sec. 5. Effective date; referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its submission to the legal voters of said town of Camden at a regular annual town meeting or at a special meeting of the above mentioned town.

Such meeting shall be called for that purpose by an appropriate article inserted in the call for such meeting and such meeting shall be called, advertised and conducted according to the law relating to municipal elections. The town clerk shall prepare the required ballots for the election upon which he shall reduce the subject matter of this act to the following

question: "Shall 'An Act Relating to the Town Manager Form of Government for the Town of Camden' be accepted?", and the voters shall indicate by placing a cross in a square designated by the words "Yes" or "No" their opinion of the same. This vote shall be by the Australian ballot and check list shall be used.

If a majority of the qualified voters of the town, present and voting, vote in favor of the acceptance of this act, it shall become operative at the next annual town meeting.

The result of the vote in said town shall be declared by the municipal officers thereof and a certificate thereof filed by the town clerk with the secretary of state.