

MAINE STATE LEGISLATURE

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

Legislative Document

No. 321

H. P. 838

House of Representatives, February 3, 1949

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

HARVEY R. PEASE, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Amending the Charter of the City of Lewiston.

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

Sec. 1. P. & S. L., 1939, c. 8, Art. II, § 1, amended. Section 1 of Article II of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

Sec. 1. Elections, when and where held, etc. An election shall be held on the 3rd Monday in February ~~of each year in the year 1951, and biennially thereafter~~, at which the qualified voters of the city shall ballot for a mayor and the qualified voters of each ward shall ballot for a member of the board of aldermen, a warden, and a ward clerk. All the votes cast for the several offices shall be sorted, counted, declared, and registered in open ward meeting as required by statute and the ward clerk in each ward shall forthwith deliver to the city clerk a certified copy of the record of such election. The municipal officers shall as soon as they conveniently can, examine the copies of the records of the several wards certified as aforesaid and shall cause the persons who shall have been elected to the several offices to be notified in writing of their election.

The present existing provisions with reference to the election of the mayor, aldermen, wardens and ward clerks shall continue in effect until

the election to be held in 1951, at which time the above amendment shall become effective.'

Sec. 2. P. & S. L., 1939, c. 8, Art IV, § 2, amended. Section 2 of Article IV of chapter 8 of the private and special laws of 1939, as amended by section 2 of chapter 86 of the private and special laws of 1943, is hereby further amended to read as follows:

'**Sec. 2. Term and salary.** ~~The~~ **Beginning with the election to be held in 1951, the** term of office of the mayor shall be ~~+ year~~ **2 years** or until his successor shall have been elected and qualified. No person shall be eligible to the office of mayor for ~~more than~~ **2 terms** in succession. The salary of the mayor shall be \$1,500 ~~for the term~~ **per year**, which shall be in full for the performance of his official duties. **Each year, on the 3rd Monday of March, the mayor shall make the appointments which he is required annually to make.'**

Sec. 3. P. & S. L., 1939, c. 8, Art. V, § 9, amended. Section 9 of Article V of chapter 8 of the private and special laws of 1939, as amended by chapter 16 of the private and special laws of 1945, is hereby further amended to read as follows:

'**Sec. 9. Compensation.** The members of the board of aldermen shall receive as full compensation for the performance of their official duties as aldermen the sum of \$10 for each meeting of the city council which they shall attend provided that no alderman shall be paid an amount in excess of \$300 for such attendance ~~at~~ **during any 1 term** fiscal year. Members of the board of aldermen when they shall convene for the purpose of constituting a board of examiners **in insanity cases** shall receive as full compensation for such duties the sum of \$3 for each meeting attended.'

Sec. 4. P. & S. L., 1939, c. 8, Art VII, § 1, repealed and replaced. Section 1 of Article VII of chapter 8 of the private and special laws of 1939 is hereby repealed and the following enacted in place thereof:

'**Sec. 1. Appointment of corporation counsel.** The board of finance shall appoint the corporation counsel, who shall hold office for 1 year or until his successor shall have been appointed and qualified.'

Sec. 5. P. & S. L., 1939, c. 8, Art. VIII, § 12, amended. Section 12 of Article VIII of chapter 8 of the private and special laws of 1939 is hereby amended by adding at the end thereof the following:

'**The board of finance shall appoint a full-time civil engineer, who shall be subject to the authority of said board. The board of finance shall prescribe**

his duties and assign him to any department of the city for such time or times and under such rules and regulations as they may order, fix his compensation and terminate his employment at pleasure.'

Sec. 6. P. & S. L., 1939, c. 8, Art. XVI, § 21, additional. Article XVI of chapter 8 of the private and special laws of 1939 is hereby amended by adding thereto a new section to be numbered section 21, to read as follows:

'Sec. 21. Planning board. A planning board for municipal projects is hereby created. Said planning board shall consist of 12 members as follows: the mayor, the 5 members of the board of finance, the president of the city council, all ex officio, and 1 representative of each of the following boards: board of education, board of public works, board of health and welfare, police commission and fire commission, the representative to be selected by these boards respectively to serve during the pleasure of the respective boards. The mayor shall act as chairman ex officio.

It shall be the duty of the planning board from time to time to consider the needs of the city for the improvement, replacement or alteration of existing facilities and the acquisition or construction of additional facilities and the order in which projects ought to be undertaken over a period of years, giving all departments an opportunity to present the importance and urgency of projects in their respective jurisdictions.

The planning board shall hold public hearings on all projects involving an estimated expenditure in excess of \$25,000. It shall report its recommendations to the board of finance on specific projects after such hearings.

It may, from time to time, report to the board of finance its recommendations with respect to plans for municipal projects over a term of years and the order in which they ought to be undertaken, and shall not be bound by recommendations previously made. Its recommendations in all cases shall be advisory only.

Notice of the time and place of the public hearings, and of their meetings, shall be kept conspicuously posted in the office of the city clerk. The said board shall have the power to enact rules governing the administration of its affairs not inconsistent with the provisions of law. No compensation shall be paid to the members of the planning board for attendance at the meetings thereof.'