

MAINE STATE LEGISLATURE

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

Legislative Document

No. 581

H. P. 535

House of Representatives, February 10, 1953.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Totman of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Amending the Charter of the City of Bangor Relative to Change
in Election Date and Budget Calendar.**

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

Sec. 1. P. & S. L., 1931, c. 54, Art. II, § 5, amended. The 1st sentence of section 5 of article II of chapter 54 of the private and special laws of 1931 is hereby amended to read as follows :

'The city council shall meet at the usual place for holding meetings at 10 o'clock A. M., on the 1st Monday in ~~January~~ **November** following the regular city election, and at said meeting the councilmen elect shall be sworn to the faithful discharge of their duties by a justice of the peace, or by the city clerk.'

Sec. 2. P. & S. L., 1931, c. 54, Art. IV, § 1, amended. The 1st paragraph of section 1 of article IV of chapter 54 of the private and special laws of 1931 is hereby amended to read as follows :

'At the first election after this charter is in force, to be held on the first Monday in December, A. D. nineteen hundred thirty-one the qualified voters of the city shall ballot for nine councilmen, and the qualified voters of each ward shall, at the same time, ballot for a warden, and a ward clerk for his ward, and thereafter, on the ~~first Monday in December~~ **2nd Monday**

in **October** in each year, a regular municipal election shall be held and the qualified voters of the city shall ballot for councilmen to fill the office of the councilmen whose terms of office expire that year, and the qualified voters of each ward shall, at the same time, ballot ~~for a warden, and a ward clerk for their ward~~ to fill the office of warden or ward clerk which shall expire that year. Wardens and ward clerks shall be elected in alternate years for a 2 year term of office.

Those councilmen holding office when this amendment takes effect shall serve only until a successor is duly elected and qualified in accordance with the terms of this amendment.

Those ward clerks holding office when this amendment takes effect shall serve until the 1st Monday in November following the 1st municipal election held under the provisions of this amendment. Those wardens holding office when this amendment takes effect shall serve until the 1st Monday in November following the 2nd municipal election held under the provisions of this amendment.'

Sec. 3. P. & S. L., 1931, c. 54, Art. IV, § 2, amended. The 1st sentence of section 2 of article IV of chapter 54 of the private and special laws of 1931 is hereby amended to read as follows:

'The warden and ward clerk, chosen as provided in the preceding section, shall be residents of the ward and precinct for which they are elected and shall hold their office for ~~one year from the first Monday in January~~ 2 years from the 1st Monday in November following their election, and until others have been chosen and qualified in their stead.'

Sec. 4. P. & S. L., 1931, c. 54, Art. IV, § 8, amended. The 2 last divisions on the form of ballot, beginning "For WARDEN, etc." and "For WARD CLERK, etc." of section 8 of article IV of chapter 54 of the private and special laws of 1931, are hereby repealed and the following division enacted in place thereof:

'For WARDEN (or WARD CLERK) (2 Years) Vote for one

Name of candidate

Residence

Sec. 5. P. & S. L., 1931, c. 54, Art. VI, §§ 4 and 5, repealed and replaced. Sections 4 and 5 of article VI of chapter 54 of the private and special laws of 1931 are hereby repealed and the following enacted in place thereof:

Sec. 4. Budget. (a) The fiscal year of the city government shall be the same as the calendar year.

(b) Not later than the 1st Monday in November, the city manager shall submit to the council an annual current expense budget which shall be a complete financial plan.

(c) The annual budget shall contain: (1) an estimate of all revenue cash receipts anticipated from sources other than the tax levy for the ensuing fiscal year; (2) an estimate of the general fund cash surplus or cash deficit at the end of the current fiscal year; (3) the estimated expenditures necessary for the operation of the several departments, offices and agencies of the city; (4) debt service requirements for the ensuing fiscal year; (5) an estimate of the sum required to be raised by the tax levy for the ensuing fiscal year; and (6) a balanced relationship between the total estimated expenditures and the total anticipated revenue cash receipts taking into account the estimated general fund cash surplus or cash deficit at the end of the current fiscal year. All estimates shall be in detail showing revenues by sources and expenditures by organization units, functions and objects of expenditure. The budget shall be so arranged as to show comparative figures for receipts and expenditures for the current and next preceding fiscal years.

(d) The budget shall be accompanied by a budget message which shall contain the recommendations of the city manager concerning the fiscal policy of the city, a description of the important features and major increases or decreases in the proposed budget and summary statements of the budget according to principal sources of revenue and the main headings of expenditure.

(e) The city manager shall have printed sufficient copies of the budget and the budget message for the use of the council and the public. The budget and the budget message shall be a public record.

Sec. 5. Budget changes. The council may insert new items of expenditure or may increase, decrease, or strike out items of expenditure, except that no item of appropriation for debt service shall be reduced. The council shall not alter the city manager's estimate of receipts except that any increases or decreases in expenditure items shall be fully reflected by increasing or decreasing the amount required to be raised by tax levy in the ensuing year.'

Referendum; effective date; return to secretary of state. This act shall take effect 90 days after the adjournment of the legislature, only for the

purpose of permitting its submission to the legal voters of the city of Bangor at the next regular city election called and held for the purpose at the regular voting places of the city by the officers of the city of Bangor authorized to call such election. A check list shall be used at such election. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Bangor, passed by the 96th legislature, relative to change in election date and budget calendar, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The result shall be declared by the municipal officers and due certificate thereof filed by the city clerk with the secretary of state.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters at said election.