

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1192

H. P. 836

House of Representatives, March 7, 1957.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Amending the Charter of the City of Bath.

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

Sec. 1. P. & S. L., 1947, c. 82, c. II, § 211, amended. Section 211 of chapter II of chapter 82 of the private and special laws of 1947, as amended by section 1 of chapter 65 of the private and special laws of 1955, is hereby further amended to read as follows:

'Sec. 211. Qualifications. Councilmen shall be qualified electors of ~~the ward in the city in which they are a candidate for office~~ and remain inhabitants of the city during their term of office. ~~No councilman shall represent any ward of the city other than that ward of which he is a qualified elector. They shall hold no office of emolument or profit under the city charter or ordinances;~~ ~~nor~~ They shall ~~they not~~ participate directly or indirectly in any commercial transaction with any office, department or agency of the city whatsoever during their term of office. If a councilman shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his office shall immediately become vacant. **Candidates for election to the position of councilman of the city of Bath from a designated ward therein shall be qualified electors of the ward in which they are candidates for election as city councilman.'**

Sec. 2. P. & S. L., 1947, c. 82, c. II, § 220, repealed and replaced. Section 220 of chapter II of chapter 82 of the private and special laws of 1947 is hereby repealed and the following enacted in place thereof:

'Sec. 220. Vacancies in council. In the event a seat in the council becomes vacant by reason of the death, resignation or other disqualification of any coun-

cilman, such vacancy shall be filled at the next regular state or municipal election held in the city of Bath; provided, however, if there shall be a total of 3 seats in the council vacant for any reason, the last such vacancy occurring more than 6 months prior to the next regular municipal election, the vacancies for the then existing 3 unexpired terms shall be filled within 60 days from the date upon which the 3rd such vacancy occurred, by a special election, the warrant for which shall, upon vote of the city council, be issued by a member of the city council by vote designated for that duty.'

Sec. 3. P. & S. L., 1947, c. 82, c. VIII, § 803, amended. Section 803 of chapter VIII of chapter 82 of the private and special laws of 1947, as amended by section 8 of chapter 65 and by section 10 of chapter 174, both of the private and special laws of 1955, is hereby further amended to read as follows:

'**Sec. 803. Nomination of candidates to be by petition.** The nomination of all candidates for elective offices provided for by this charter shall be by petition. **Candidates for election to the position of councilman of the city of Bath from a designated ward therein shall be qualified electors of the ward in which they are candidates for election as city councilman.** The petition of candidates for warden, ward clerk and ward constable shall be signed by not less than 15 nor more than 30 qualified voters of the ward in which said candidates are ~~qualified electors~~ residents. The petition of each candidate for member of the city council **and board of education** shall be signed by not less than 50 nor more than 100 qualified voters of the ~~ward in which said candidate is a qualified elector~~ city. No voter shall sign petitions for more than 4 or 5 candidates (as the case may be) for each office to be filled at the election, and should he do so his signature shall be counted only upon the first 4 or 5 petitions (as the case may be) filed, and shall be void upon all other petitions.'

Sec. 4. P. & S. L., 1947, c. 82, c. VIII, § 808, amended. The first 3 sentences of section 808 of chapter VIII of chapter 82 of the private and special laws of 1947, as amended by section 10 of chapter 65 and by section 11 of chapter 174, both of the private and special laws of 1955, are hereby further amended to read as follows:

'The position upon the ballot of the names of the candidates nominated, as hereinbefore provided, shall be determined by lot alphabetical order and said names shall be so placed upon said ballot under the title of the office to be filled. ~~Said determination of said position by lots shall be conducted by the city clerk at which said candidates or their representatives shall be entitled to be present. Candidates shall be notified of the time and place of such drawing at least 24 hours in advance thereof.~~

Sec. 5. P. & S. L., 1955, c. 65, inconsistent provisions repealed. Any provision of chapter 65 of the private and special laws of 1955 inconsistent with any of the provisions of chapter 174 of the private and special laws of 1955 is hereby repealed.