

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1077

H. P. 759

House of Representatives, March 4, 1959

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

HARVEY R. PEASE, Clerk

Presented by Mr. Barnett of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Amending the Charter of the City of Augusta.

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

Sec. 1. P. & S. L., 1957, c. 169, Art. II, § 2, amended. Section 2 of article II of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'Sec. 2. Composition, election, tenure of office. The city council shall be composed of a mayor and 8 other members. The members shall be elected, one from each of the 8 voting wards provided for in section 1 of this article. The candidate from each ward receiving the largest number of votes cast in each ward shall be elected councilman from his ward and shall serve for a term of 2 years or until his successor is elected and qualified. **At the 1960 regular municipal election the councilmen from wards 1, 3, 5 and 7 shall be elected to serve until the first Monday of January, 1962, the councilmen from wards 2, 4, 6 and 8 shall be elected to serve until the first Monday of January, 1964, or until their successors are elected and qualified. Thereafter, the terms of all councilmen shall be for 4 years and until their successors are elected and qualified.** Each member shall be a voter and a resident of the ward from which he is elected **when elected. In the event a member shall cease to reside in the city, he shall forfeit his office, but there shall be no forfeiture if he moves to another ward.** Each member, except the mayor, shall ~~serve without pay and shall not receive as compensation such sum as shall be appropriated by the council, not to exceed the sum of \$200 per year, and no member shall~~ be eligible while a member of the council to hold any office of emolument or profit under the city charter or ordinances, nor to hold the office of city manager, nor to act as city manager during the term for which he was elected.'

Sec. 2. P. & S. L., 1957, c. 169, Art. IV, § 2, amended. The 2nd paragraph of section 2 of article IV of chapter 169 of the private and special laws of 1957 is repealed and the following enacted in place thereof:

‘The chief of police or said constable shall cause the original warrants, with a return of his doings thereon, to be delivered to the chairman of said respective ward meetings, on the date thereof, and the secretaries of said meetings, shall respectively make records thereof. The city clerk shall also cause a notice of such meeting to be published in one or more of the newspapers circulated in Augusta, between the time of issuing the warrants and the time appointed for said meetings. Said ward meetings shall be respectively organized by the choice of a chairman and a secretary by ballot or otherwise as may be determined at the meeting, proceed to the election of a member of said board of education, who shall be a resident of the ward where elected. The tenure of office of the members so elected shall be as follows: those from wards 2, 4, 6 and 8 until the first Monday in January, 1960; those from wards 1, 3, 5 and 7 until the first Monday in January, 1962; and in each instance until others are elected in their places. Commencing with the 1960 regular municipal election, the members of the board whose terms expire in the following January shall be elected for 4 years and until their successors are elected and qualified. Their qualifications as to residency in a ward and the effect of removal therefrom shall be the same as in the case of councilmen hereinbefore set forth. The members of the board shall be nominated and elected, commencing with the 1960 regular municipal election, under the provisions of article V.’

Sec. 3. P. & S. L., 1957, c. 169, Art. V, § 1, amended. The first sentence of section 1 of article V of chapter 169 of the private and special laws of 1957 is amended to read as follows:

‘The regular municipal elections under the provisions of this charter will be held biennially on the ~~2nd~~ **first Tuesday** after the first Monday in ~~December~~ **November**.’

Sec. 4. P. & S. L., 1957, c. 169, Art. V, § 5, amended. Section 5 of article V of chapter 169 of the private and special laws of 1957 is amended to read as follows:

‘**Sec. 5. Filing nomination papers; acceptance of nominations must be filed.** The nomination petitions for any one candidate shall be assembled and united into one petition and filed with the city clerk not earlier than the first Monday in ~~November~~ **October** nor later than the 3rd Monday in ~~November~~ **October**. No nomination shall be valid unless the candidate shall file with the city clerk in writing not later than the 3rd Monday in ~~November~~ **October** his consent, accepting the nomination, agreeing not to withdraw, and, if elected, to qualify.’