

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

Chapter 66.**CHAP. 66**

An Act to amend an act to revise, consolidate and amend the charter and laws of the City of Augusta, and relating to the tenure of office of the members of the Fire Department of said City.

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

Section 1. Section four of chapter three hundred seventy-three of the private and special laws of nineteen hundred and five is hereby amended by inserting after the word "city," in the fourteenth line, the words 'except as hereinafter provided as to officers and members of the fire department'; said section is also amended by inserting after the word "aldermen," in the twenty-fourth line, and before the word "the," the following: 'But all members and officers of the fire department shall be continued in the service of said department without re-election or re-appointment unless removed for inefficiency, or other cause, or retired on arriving at an age limit which may be determined by the city council of said city'; said section is further amended by inserting after the word "department" in the thirty-seventh line, the words 'in case of vacancy by reason of resignation, removal or retirement on account of age limit,' so that said section as amended shall read as follows:

Section 4,
chapter 373,
special laws
1905, amend-
ed.

'Section 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Augusta, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers not vested in the inhabitants of said town, and all powers granted by this act, shall be vested in the mayor and aldermen and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other, but all elections of officers by the city council shall be by joint ballot of the two boards in convention. Except as otherwise provided by law, the city council shall annually, on the third Monday of March, or as soon thereafter as conveniently may be, elect and appoint all the subordinate officers and agents for the city, except as hereinafter provided as to officers and members of the fire department, for the ensuing year, shall define their duties and fix their compensation, in cases where such duties and compensation shall not be defined and fixed by the laws of this state; and may by concurrent vote remove all officers whom they have power to appoint, when in their opinion sufficient cause for removal exists. The city council may by ordinance provide for the election of, and prescribe the duties of members of the fire department; provided, that the several fire companies may adopt such rules

Executive
powers vested
in mayor
and aldermen.

—elections of
officers shall
be by joint
ballot of the
two boards.

—election of
subordinate
officers.

—election and
duties of fire
department.

—proviso.

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—tenure of office of members of fire departments.

—mayor and aldermen shall appoint certain other officers.

—superintendent of burying grounds, inspectors of bridges, trustees of Lithgow library, deputy marshal and other police officers.

—certain officers shall not be members of city government.

—treasurer and collector may be same person.

—tenure of officers.

—city council shall secure prompt accountability of moneys.

—shall have care of city property.

—shall annually publish accounts of receipts and expenditures.

and regulations not inconsistent with such ordinances as they may deem expedient, subject to the approval of the chief engineer, mayor and aldermen. But all members and officers of the fire department shall be continued in the service of said department without re-election or re-appointment unless removed for inefficiency, or other cause, or retired on arriving at an age limit which may be determined by the city council of said city. The mayor and board of aldermen in addition to the appointment of any officers to be by them appointed under any law of this state, shall on the third Monday of March, annually, or as soon thereafter as conveniently may be, appoint officers to the following positions, to the number and with the tenure now or hereafter established by ordinance of the city council, namely, superintendent of burying grounds, inspector or inspectors of any or all city bridges, trustees of the Lithgow library and reading room, and upon the nomination of the city marshal, a deputy city marshal and other police officers. Except as otherwise provided by law, all officers shall be chosen and vacancies supplied for the current year, of whom the assessors, city marshal, chief engineer of fire department, in case of vacancy by reason of resignation, removal or retirement on account of age limit, collector, overseer of the poor, street engineer, street commissioner, superintending school committee and treasurer, shall not be members of the city council, and except as herein otherwise directed. The treasurer and collector of taxes may be one and the same person. Except as otherwise provided by law, all the said subordinate officers and agents shall hold their offices during the ensuing year, and until others shall be elected and qualified in their stead, unless sooner removed. All moneys received and collected for or on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalty and sureties from all persons trusted with the receipt, custody or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell, what may be legally let or sold; and to take and hold in the name of the city real and personal estate necessary or proper for municipal purposes, not exceeding in aggregate at any one time one hundred and fifty thousand dollars. And the city council shall, as often as once a year, cause to be published for the information of the inhabitants, a particular account of receipts and expenditures and a schedule

CHAP. 67

of the city property; and no money shall be paid from the treasury unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn. Provided, however, that the city council may, by ordinance, create a fund consisting of the unexpended balance of all appropriations remaining at the end of each municipal year, and may by such ordinance, define the purposes of such fund, and warrants drawn thereon by the mayor for such purpose shall be valid. The subordinate officers and agents of the city, elected or appointed as provided for in this section, shall enter upon the discharge of their official duties on the first day of April, or as soon thereafter as may be, except in cases of elections to fill vacancies. Officers elected to fill vacancies shall enter immediately upon their official duties. The city council may, except as in this charter otherwise provided, by ordinance provide a specific salary for any or all city officers and may further provide that any officer whose salary is so specified shall account for and pay over to the city for its use all statutory fees received by him by virtue of his official position.'

—appropriations.

—proviso.

—city council may specify salaries.

Section 2. Provided that if written petitions signed by twenty-five per cent. of the qualified voters of the city of Augusta, drawn, executed and verified as provided in the constitutional amendment relating to the initiative and referendum requesting that this act be submitted to the people of Augusta be filed in the office of the clerk of said city within ninety days after the recess of this legislature, this act shall not take effect until it has been adopted by the legal voters of the city of Augusta at a general election or a special election called for that purpose.

When this act shall take effect.

Approved March 2, 1911.

Chapter 67.

An Act to incorporate the Town of Merrill.

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

Section 1. Township number six, range four, west from the east line of the state, in the county of Aroostook, and known as Merrill plantation, is hereby incorporated into a town by the name of Merrill, and the inhabitants of said town are hereby vested with all the powers, privileges, immunities and liabilities of other towns.

Town of Merrill incorporated.