

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh
Legislature

1915

CHAP. 215

filing of said plans and location, apply to the commissioners of the county wherein said land lies, who shall cause such damages to be assessed in the same manner, and under the same conditions, restrictions, limitations and rights of appeal as are by law prescribed in the case of damages for the laying out of railroads, so far as such law is consistent with the provisions of this act.

—authorized to issue bonds

Section 7. Said town is hereby authorized to issue bonds or town orders, for carrying out this act, upon such rates and time, and to such amounts as it may deem necessary, subject to provisions of chapter one hundred twenty-nine of the Public Laws of nineteen hundred thirteen, known as the Public Utilities Act.

—shall obtain consent of the Public Utilities Commission.

Section 8. Said town shall not exercise the powers and privileges conferred on it by this act until it shall have obtained the consent of the Public Utilities Commission given after public hearing of all parties interested, with a declaration that public convenience and necessity require the exercise of said powers and privileges by said town; provided, however, that such consent shall not be necessary for said town to furnish electricity for its own municipal purposes.

—proviso.

Approved April 2, 1915.

Chapter 215.

An Act to Amend the Charter of the Portland Water District.

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

Ballots, how to be prepared.

Section 1. Ballots for elections of trustees of the Portland Water District shall be made with four columns for crosses to the right of the candidates' names, and headed respectively, "first-choice," "second-choice," "third-choice" and "other-choices."

—form of the ballot.

Section 2. The face of the ballots shall be of the following form:

OFFICIAL BALLOT

Candidates for Trustee of the Portland Water District at an election held on Monday, the _____ of _____, A. D.

—instructions.

Instructions. To vote for any person, make a cross (X) in the square in the appropriate column according to your choice, at the right of the name voted for. Vote your first choice in the first column; vote your second choice in the second column; vote your third choice in the third column; vote in the fourth

column for all the other candidates whom you wish to support: vote only one first choice, only one second choice, and only one third choice for any one trustee. Do not vote more than one choice for one person as only one choice will count for any one candidate on this ballot.

For Trustee of the Portland Water District	First Choice	Second Choice	Third Choice	Other Choices

Back of Ballot.

, Maine, Monday, A. D.

OFFICIAL BALLOT

(Facsimile of Signature)

City Clerk.

Section 3. As soon as the polls are closed, the proper officers shall immediately open the ballot boxes, take therefrom and count the ballots in public view, and enter the total number thereof on a tally sheet provided therefor by the city clerk. They shall enter the number of the first-choice, second-choice, third-choice, and other-choice votes for each candidate on said tally sheet, and make return thereof to the city clerk on a blank by him to be provided therefor. Only one vote shall be counted for any candidate on any one ballot; all but the highest of two or more choices on one ballot for one and the same candidate shall be void. If a ballot contains either first-choice, second-choice or third-choice votes in excess of the number of offices to be filled, no vote in the column showing such excess shall be counted. Except as hereinbefore, all choices shall be counted as marked on the ballot.

—counting of the ballots.

—excessive votes not counted.

—exception.

Section 4. Upon receipt of all the returns, the municipal officers shall determine the successful candidates as hereinafter provided in this section.

Municipal officers shall determine successful candidates.

CHAP. 215

—provisions
for deter-
mining.

—proviso.

—tie, how
decided.

—majority
defined.

—expenses
of Water
District,
how borne.

The person receiving a majority, as hereinafter defined in this section, of first-choice votes cast at an election for any office shall be elected to that office, provided, that if no candidate shall receive such a majority of the first-choice votes for such office, then a canvass shall be made of the second-choice votes received by each candidate for the office; said second-choice votes shall then be added to the first-choice votes received by each candidate for the office, and the candidate receiving the largest number of said first-choice and second-choice votes combined, if such votes constitute a majority, shall be elected thereto; and further provided, that, if no candidate shall have such a majority after adding the first-choice and second-choice votes, then a canvass shall be made of the third-choice votes received for each candidate for the office; said third-choice votes shall then be added to the first-choice and second-choice votes received by each candidate for the office, and the candidate receiving the largest number of said first-choice, second-choice and third-choice votes combined, if such votes constitute a majority, shall be elected thereto; and provided further, that if no candidate shall have such a majority after adding the first-choice, second-choice, and third-choice votes, then a canvass shall be made of the other-choice votes received by each candidate for the office, said other-choice votes shall then be added to the first-choice, second-choice and third-choice votes received by each candidate for the office, and the candidate having the largest number of first-choice, second-choice, third-choice, and other-choice votes combined shall be elected to such office.

A tie between two or more candidates shall be decided in favor of the one having the highest number of first-choice votes. If they are also equal in that respect, then the highest number of second-choice votes shall determine the result. If they are still equal, then the highest number of third-choice votes shall determine the result. If this does not decide, then the tie shall be determined by lot, under the direction of the city clerk.

Whenever the word "majority" is used in this section, it shall mean more than one-half of the total number of valid ballots cast at such election.

Section 5. The expenses of the Portland Water District elections after this amendment takes effect shall in the first instance be chargeable to and paid by the city in which the election is held, and so far as arising solely or chiefly and directly from such elections shall be reimbursed by the Portland Water District.

Section 6. All provisions in the charter inconsistent with the provisions of this amendment, and none other, are hereby repealed.

CHAP. 216

—inconsistent provisions of charter repealed.

Approved April 2, 1915.

Chapter 216.

An Act to Grant a New Charter to the City of Bangor, Penobscot County, State of Maine, Repealing All Laws or Parts of Laws in Conflict Herewith.

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

ARTICLE I

Section 1. The inhabitants of the city of Bangor, in the county of Penobscot, shall continue to be a body politic and incorporate by the name of the City of Bangor, and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises and be subject to all the duties and obligations now appertaining to or incumbent upon said city as a municipal corporation, or appertaining to or incumbent upon the inhabitants or officers thereof, and may ordain and publish such acts, ordinances, laws and regulations, not inconsistent with the Constitution and laws of this State, as shall be needful to the good order of said body politic, and impose fines, and penalties for the breach thereof not exceeding fifty dollars for any one offense which may be recovered to the use of the said city, by action of debt, or on complaint before the municipal court in said city.

Corporate name.

—rights, franchises, etc.

—duties and obligations.

—may impose fines and penalties.

ARTICLE II

Section 2. The elective officers of the city shall consist of five supervisors, constituting the city council and no others.

One of the supervisors shall be supervisor of administration and ex-officio mayor; one shall be supervisor of finance; one shall be supervisor of public safety; one shall be supervisor of public works; one shall be supervisor of public property. Each of these five supervisors shall be elected at large by the qualified voters of the whole city, and each shall have charge of the division of city affairs indicated by his official title, subject to the reservations of power and duty to school committee, to the library trustees and to the water board, elsewhere provided in this act.

—Supervisors, election and duties of.