

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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OF THE

STATE OF MAINE

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as to conform with the provisions of this act; but this section shall take effect as to the subject matter covered in section one of this act only when said section shall be finally accepted by the electors of said city of Calais as provided in section two.

Approved March 20, 1923.

Chapter 69.

An Act to Amend the Charter of the City of Calais, Providing for the Election of a City Manager.

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

Sec. 1. Mayor and aldermen may elect a city manager; term of office; salary; duties. The mayor and aldermen may, at their discretion, after the year nineteen hundred and twenty-three, elect a city manager, who shall be the administrative head of the city; he shall hold office for the term of two years unless sooner removed for cause; he shall receive such salary as the city council shall fix at the beginning of each year of his service, which shall not be increased or diminished during the year; he shall have charge of, and be responsible to the city council for, the administration of all departments of the city.

Sec. 2. Officers to be appointed by city manager. The following officers and heads of departments shall be appointed by the city manager, subject to confirmation by the city council: city engineer, street commissioner, inspector of buildings, chief engineer and assistant engineer of the fire department, city marshal and deputy marshals of the police department and superintendent of cemeteries, and upon recommendation of said officers shall appoint all minor officers and employees in each of these departments.

Sec. 3. City manager to audit bills and accounts; payrolls, how prepared. All bills and claims against the city shall be examined by the city manager and if found correct so certified by him. No bill or claim against the city, not so certified, shall be placed upon the city payrolls until it shall have been presented to the city council and ordered paid by vote of the council. Payrolls for the regular city pay-days shall be prepared by the auditor, under the direction of the city manager, and when certified as correct by the city manager and auditor, shall be paid by the city treasurer on order of the mayor countersigned by the city manager.

Sec. 4. Monthly and annual reports of city manager. The city manager shall report to the city council at its regular monthly meeting the receipts and disbursements of the city for the previous month, with such other information as the city council may desire, and at the close of each

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municipal year shall make a full report of city affairs, covering each department, with such recommendations as he may deem for the best interests of the city.

Sec. 5. Mayor to act in case of temporary vacancy; vacancy, how filled. During a temporary vacancy in the office of city manager or during the absence or disability of the city manager, the mayor for the time being shall perform the duties of manager and receive compensation for his services at the same rate paid the manager. If the office of manager becomes vacant by resignation, permanent disability, death or removal from office, the city council shall elect a successor for the unexpired term, and the mayor shall act as manager during the interim, and shall receive the same compensation as above provided.

Sec. 6. Provision for local referendum; conduct of election; ballots, how prepared. Sections one to five inclusive of this act shall take effect only when accepted, as hereinafter provided, by the electors of said city qualified to vote in a municipal election. Said sections shall be submitted to be voted upon by the qualified electors of said city at the regular annual election to be held on the first Monday of April, nineteen hundred and twenty-four. Said election shall be called, advertised and conducted according to the law relating to municipal elections in said city. The ballots to be used in said election shall be in such form as to permit said first five sections of this act to be voted upon by an expression of the voter's opinion on the following question: "Shall the charter of the city of Calais be amended to provide for the election of a city manager?" Opposite and to the right of said question shall be printed the two words "Yes" and "No" with the usual squares in which the voter is to mark in the manner required by law to express his opinion. Other brief and suitable explanations of the subject matter submitted may be printed on the ballots, which in other respects shall conform with all the requirements of law. If said sections one to five shall receive more affirmative than negative votes at said election they shall be deemed to have been accepted and shall thereupon be in full force and effect. The result of said election shall be declared by the mayor and aldermen, and due certificate thereof filed with the city clerk and with the secretary of state. A printed copy of the full text of these acts shall be posted with each notice of said election, and two copies shall be kept posted in each voting place in said city during said election.

Sec. 7. Inconsistent acts repealed. All acts and parts of acts inconsistent herewith, and all provisions of the charter and ordinances of said city of Calais inconsistent with this act are hereby modified so as to conform with the provisions of this act; but this section shall take effect as

to the subject matter covered in sections one to five inclusive of this act only when said sections shall be finally accepted by the electors of said city of Calais as provided in section six.

Approved March 21, 1923.

Chapter 70.

An Act to Amend the Charter of the City of Eastport.

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

Sec. 1. Purpose of act; P. & S. L., 1893, (c. 450), amended. For the purpose of saving expense thereunder and rendering the same more convenient for the people, the private and special laws of eighteen hundred ninety-three, entitled "An Act to Incorporate the City of Eastport," and acts additional thereto and amendatory thereof and revising and further amending the same, said original act is hereby further amended, as follows:

Sec. 2. P. & S. L., 1893, c. 450, sec. 6; relating to election of city officers and filling vacancies, amended. Section six of said act is hereby further amended by striking out after the word "subsequently" in the ninth line thereof the words "and more than three months previous to the expiration of the municipal year warrants shall forthwith be issued for a new election, and the same proceedings shall be had in all respects as hereinbefore provided, and shall be repeated until such election is completed," and inserting in lieu thereof the words 'such vacancy in the office of mayor shall be filled for the unexpired term by a majority vote of the members of the board of aldermen by roll-call, except that the president of said board shall have a casting vote in case of a tie only,' so that said section, as amended, shall read as follows:

'Sec. 6. Vacancy in office of mayor to be filled by vote of aldermen; in office of alderman, by city council. Whenever two or more persons are to be elected to the same office, the several persons up to the number to be chosen, receiving the highest number of votes, shall be deemed and declared to be elected. If it shall appear that there is no choice of mayor, or any of the other officers to be elected from the citizens at large, or from any of the several wards, or if the person elected mayor, or any person or persons elected to any other of the offices aforesaid, shall refuse to accept the office, or shall die before qualifying, or if a vacancy in the office of mayor shall occur subsequently, such vacancy in the office of mayor shall be filled for the unexpired term by a majority vote of all the members of the board of aldermen by roll call, except that the president of said board shall have a casting vote in case of a tie only. A vacancy occurring in the office of city clerk by death, resignation or removal from the city, shall be filled for the unexpired term by election by the city coun-