

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Fourth
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be accounted for and paid over quarterly into the treasury of said county of Aroostook, for the use of said county; and all fees of said court paid after any commitment to any jailer shall be paid by him monthly into said treasury.

Sec. 17. Jurisdiction of trial justices limited; proviso. Trial justices in said town of Fort Fairfield are hereby prohibited from exercising any jurisdiction in said town over any matters, civil or criminal, except such as are within the jurisdiction of justices of the peace, provided that until such judge and recorder of said court shall enter upon the duties of their office, any trial justice shall have and exercise the same jurisdiction as though this said municipal court had never been established, and all actions entered and pending before any trial justice at the time said judge and recorder of said court enter upon the duties of their office as aforesaid, shall be finally disposed of by said trial justices; and nothing in this act shall be construed to interfere with such actions returnable before a trial justice as shall be commenced before this act takes effect.

Sec. 18. Territorial jurisdiction of other municipal courts not affected. Nothing in this act shall be construed to limit or affect the territorial jurisdiction, in civil or criminal matters, of the other municipal courts in said county of Aroostook, as is established by their respective acts; but the jurisdiction of said Fort Fairfield Municipal Court over any portion of the county of Aroostook now within jurisdiction of other municipal courts within said county shall be concurrent with said other municipal courts.

Approved March 23, 1929.

Chapter 68.

An Act to Provide a Town Council and Manager Form of Government for the Town of Freeport, in the County of Cumberland.

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

Sec. 1. Annual town meetings on second Monday in March. On and after the passage of this act and its adoption by the town as hereinafter provided, annual town meetings shall be held in the town of Freeport, in the county of Cumberland, on the second Monday of March, in each year, and the voters shall then choose by ballot, as now provided by law, a moderator.

Sec. 2. Officers to be chosen; tenure of office. At such meetings as provided in section one, the voters shall then choose by ballot, as provided by law, seven inhabitants of said town to be known as councillors, an auditor of accounts, member of superintending school committee; all

other necessary town officers, including a treasurer, collector of taxes, clerk and town manager, shall be appointed as herein provided.

At the first meeting held under this act, said councillors shall be chosen as follows: two for a term of one year, two for a term of two years, three for a term of three years and thereafter at each of said annual meetings two councillors shall be chosen, as herein provided, each for a term of three years, and each third year one additional councillor shall be chosen.

Sec. 3. Councillors' duties. The councillors provided for in section two shall serve instead of selectmen, overseers of the poor and assessors of taxes provided for by general statutes and shall have the same powers and be subject to the same duties.

Sec. 4. May combine offices. At any regular meeting, the councillors may vote to combine the offices of treasurer, collector of taxes and clerk.

Sec. 5. Organization of councillors. The councillors elected as herein provided shall meet within twenty-four hours after their election and shall choose by written ballot one of their number to be chairman, and shall appoint a secretary; an affidavit of such choice of chairman with the appointment of the secretary, signed by a majority of the councillors, shall be recorded by the town clerk in the records of said town and thereafter records shall be kept of all the doings of said councillors. Said records shall be public records and shall be open at all time to the inspection of any citizen of said town.

Sec. 6. Councillors have powers of road commissioner. Said councillors, elected as herein provided, shall serve instead of board of road commissioners, road commissioner or road commissioners as provided for by general statutes and shall have the same powers in relation to repairs of bridges, roads and sidewalks of said town, as board of road commissioners, road commissioner or commissioners and municipal officers have under general statutes, and be subject to the same duties in relation thereto. The superintending school committee, elected as herein provided, shall have the same powers in relation to the schools of said town as now provided by statute and shall be subject to the same duties in relation thereto. The councillors shall meet once each month at such times as they may designate in their organization meeting provided for in section four, and three members of said councillors shall constitute a quorum for the transaction of business. Special meetings of said councillors may be called by the chairman of said councillors or by a majority of all the members of said councillors. Notice of such special meeting shall be served upon or left at the usual dwelling place of each councillor and the town manager.

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Sec. 7. Compensation. The councillors shall serve without pay except that each shall be paid his actual and necessary expenses incurred in the performance of his duties, to be paid by the town treasurer.

Sec. 8. Appointment of town manager; term; duties. Said councillors shall, by ballot by a majority vote, not later than at the third regular meeting of said councillors, after said organization meeting, appoint a town manager, said office of town manager being hereby created, and a health officer, none of whom shall be a member of said board of councillors. The councillors may, when a vacancy exists in the office of town manager, appoint said town manager for a term not exceeding three years. Said councillors as overseers of the poor, as herein provided, may authorize the town manager, at the time of his appointment aforesaid, or at any time thereafter, to be clerk or agent for them as said overseers of the poor, to sign and send the written notices and the written answers referred to in section thirty-five and section thirty-six of chapter twenty-nine of the revised statutes, and acts additional thereto, and amendatory thereof. And such written notices and written answers shall have the same effect as if signed and sent by the members of the councillors, as overseers of the poor, themselves. Said town manager shall, on and after his appointment as aforesaid, be the superintendent of roads of said town.

Sec. 9. Appointment of other officers. All other necessary town officers, now or hereafter, provided by general statute or town ordinance, including treasurer, collector of taxes and clerk, shall be appointed by the councillors.

Sec. 10. Tenure of office. All appointed officers and boards shall hold office at the pleasure of the appointing power, except that of town manager and health officer, who can only be removed upon written charges and a public hearing before the councillors, upon the question. Previous to the date of his removal, but pending such hearing, the councillors may suspend them from office.

Sec. 11. Qualifications which form basis for choice of town manager; powers and duties. The town manager shall be chosen by the councillors solely on the basis of his executive and administrative qualifications and his technical knowledge for road construction, preference in making said appointment to be given to a duly qualified civil engineer when possible, and he shall be the administrative head of the town government, and shall be responsible to the councillors for the administration of all departments of the town over which the councillors under this act, and the general statutes have control, and his powers and duties, where not otherwise herein provided, shall be generally as follows:

- (a) To see that the laws and ordinances are enforced.
- (b) To exercise control over all departments created herein or that may hereafter be created, either by general law or ordinance.
- (c) To act as purchasing agent for all departments of the town.
- (d) To attend the meetings of the board of councillors, except when his removal is being considered, and recommend for adoption such measures as he may deem expedient.
- (e) To keep the councillors fully advised as to the business, financial condition, and future needs of the town.
- (f) To perform such other duties as may be prescribed by the councillors.

Sec. 12. Purchasing agent. As purchasing agent of said town, the town manager shall purchase all supplies and materials for the town and for the several departments with the exception of the school department, and shall see to the delivery of such supplies and materials to each department, and shall take and file receipts thereof, and all accounts for the purchase of supplies and materials and work performed for said town with the exception of accounts for the purchase of supplies and materials and work for the school department, shall bear the approval of the town manager when presented to the councillors for payment.

Sec. 13. Compensation of town manager. The town manager shall devote his entire time to his said office, and shall receive for his services a rate of compensation to be fixed by the councillors and actual and necessary expenses incurred in the performance of his duties, to be paid by the town treasurer in monthly payments on the first day of every month.

Sec. 14. Sworn by town clerk. All town officers elected or appointed shall be sworn by the town clerk to the faithful performance of the duties of their respective offices.

Sec. 15. Compensation of officers of town. When not otherwise provided herein, the compensation and fees of officers of said town shall be fixed by a vote of the councillors.

Sec. 16. Orders issued and signed by councillors. No money shall be paid out of the town treasury except by order issued and signed by the councillors or their representative authorized for the purpose and presented to the treasurer of said town at the time of payment.

Sec. 17. Bond required of those trusted with moneys of the town. The councillors of said town shall require a bond with sufficient surety or sureties, satisfactory to said councillors, from all persons trusted with the collection, custody or disbursement of any of the moneys of the said

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town; and may require such bond from such officials as they may deem advisable.

Sec. 18. Inconsistent acts repealed. All acts or parts of acts inconsistent herewith in so far as they relate to the town of Freeport, in the county of Cumberland, are hereby repealed.

Sec. 19. Ratification of act. This act shall not become operative until it is ratified by said town of Freeport, at an annual town meeting or at a special town meeting called for that purpose, by an appropriate article inserted in the call for said meeting, within two years from the passage of this act; and when so ratified shall take effect on the second Monday of March following said ratification.

Approved March 23, 1929.

Chapter 69.

An Act Relating to the Hancock Sullivan Bridge.

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

Expenditures paid by state. All expenditures in the construction of the Hancock Sullivan bridge, so called, in the towns of Hancock and Sullivan, over Taunton river, which exceed the sums already paid by the county of Hancock and the Hancock-Sullivan bridge district, shall be paid by the state from the federal aid and state bridge funds.

Approved March 23, 1929.

Chapter 70.

An Act Authorizing the City of Lewiston to Issue Bonds.

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

Bonds for high school addition. To repair and build an addition to the high school in the city of Lewiston, the city of Lewiston is hereby authorized to issue its bonds to an amount not exceeding one hundred and twenty-five thousand dollars payable at a period not to exceed twenty years and bearing interest at a rate not to exceed four and one-half per cent per annum payable semi-annually. Said bonds shall be issued in serial form and shall be payable in the following manner, to wit: five thousand dollars in one year from date of issuance and five thousand dollars on each and every year thereafter until said issue is fully paid; said bonds shall be issued under the seal of the city and shall be signed by the mayor and treasurer of the city, and the coupons attached thereto shall have the printed or lithographed signature of the treasurer.

Approved March 23, 1929.