

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth  
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

---

Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
Resolves of the Legislature approved June 28, 1820,  
March 18, 1840, March 16, 1842, and Acts approved  
August 6, 1930 and April 2, 1931.

---

KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1937

---

---

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

---

---

## CHAP. 57

'(k) The check lists used under this act at town meetings shall be used also at all other elections held in said town, subject to the provisions of the general law. All voters whose names are on the check lists now used in said town for all other elections and whose names do not now appear on the check lists used for town meetings in said town may have their names enrolled on the said check lists for town meetings at any time, including the day of any election, within 1 year from the effective date of the provisions of this paragraph.'

Approved April 2, 1937.

---

---

## Chapter 57

### AN ACT to Provide a Town Manager Form of Government for the Town of Dover-Foxcroft.

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

**Sec. 1. Town meeting, second Monday in March.** On and after passage of this act and its adoption by the town as hereinafter provided, annual town meetings shall be held in the town of Dover-Foxcroft in the county of Piscataquis on the 2nd Monday of March in each year and the voters shall then choose by ballot as now provided by law, a moderator.

**Sec. 2. Election of officers.** (a) At such meetings the voters shall choose by ballot as hereinafter provided 7 inhabitants of said town to be selectmen who shall be ex officio, assessors of taxes and overseers of the poor; a town clerk; a town treasurer; and a superintending school committee of 3. All other necessary town officers, including a town manager, shall be appointed by the selectmen, as herein provided.

(b) **Board of selectmen.** At the 1st annual town meeting held under the provisions of this act and at each annual meeting thereafter only the necessary number of members of the board shall be elected as may be required to maintain the full number of 7; those elected to fill interim vacancies to serve only for the unexpired term of their predecessors, others for a term of 3 years. As the members of the board of selectmen are now elected each for a 3-year term, those whose terms have not expired when this act shall take effect, shall continue to serve until their terms expire and only the vacancies or expired terms shall be filled at the first election hereunder.

(c) **Superintending school committee.** At the 1st annual meeting held under the provisions of this act and at each annual meeting thereafter only the necessary number of members of the committee shall be elected as may be required to maintain the full number of 3, those elected to fill interim vacancies to serve only for the unexpired term of their predecessors, others

for a term of 3 years. As the members of the superintending school committee are now elected each for a 3-year term, those whose terms have not expired when this act shall take effect, shall continue to serve until their terms expire and only the vacancies or expired terms shall be filled at the 1st election hereunder.

(d) **Tax collector.** The tax collector shall be appointed by the board of selectmen and at any regular meeting of the board the offices of tax collector and town manager may be combined.

(e) **Town treasurer, clerk, and auditor.** The town treasurer, clerk, and auditor shall each be elected for a term of 1 year.

(f) **Other town officers.** Other town officers and committees not heretofore provided for, including trustees of Mayo Memorial Hospital, shall be appointed by the board of selectmen.

**Sec. 3. Organization of selectmen.** The selectmen elected as herein provided shall meet within 7 days after their election and shall choose by written ballot 1 of their number to be chairman, and shall appoint a secretary; a certificate of such choice of chairman with the appointment of the secretary, signed by all the selectmen, shall be recorded by the town clerk in the records of said town, and thereafter records shall be kept of the doing of all meetings of said selectmen. Said records shall be deemed public records and shall be open at all times to any citizen of said town.

**Sec. 4. Selectmen; powers; school board; powers.** Said selectmen, elected as herein provided, shall serve instead of the overseers of the poor, road commissioner or road commissioners as provided for by general statute and shall have the same powers in relation to the poor of said town and repairs of bridges, roads and sidewalks of said town, that the overseers or overseer of the poor, road commissioner or commissioners, and municipal officers have under general statute, and be subject to the same duties in relation thereto. The school board, 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 selectmen shall meet regularly once each week during their term of office at such time as they may designate at their organization meeting, provided for in section 3, and a majority of said selectmen shall constitute a quorum for the transaction of business. Special meetings of said selectmen may be called by the chairman of said selectmen or by a majority of all the members of said selectmen. Notice of said special meeting shall be served upon or left at the usual dwelling place of each selectman and the town manager.

**Sec. 5. Town manager; health officer; selectmen may authorize town manager.** Said selectmen shall, by ballot by a majority vote, not later than at the third regular meeting of said selectmen, after said organi-

## CHAP. 57

zation meeting, appoint a town manager, for a period of time to suit their pleasure but for not more than 3 years. He need not be a resident of the town at the time of his appointment but shall be a citizen of the United States. Said selectmen shall also appoint a health officer, subject to the approval of the state commissioner of health and welfare, who shall serve for 3 years after appointment as now provided by law and said health officer shall appoint a plumbing inspector or inspectors in accordance with the provisions of section 171 of chapter 1 of the public laws of 1933. Neither said town manager nor said health officer shall be a member of said board of selectmen. The selectmen may when a vacancy exists in the office of town manager or health officer fill said vacancy by appointment for a term not exceeding 3 years. Said selectmen 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 overseers of the poor, to sign and send the written notices and the written answers referred to in sections 31 and 32 of chapter 33 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 selectmen, or overseers of the poor, themselves. Said town manager shall, on and after his appointment as aforesaid, be superintendent of roads, streets, and buildings and shall perform any other duty said selectmen may specify.

**Sec. 6. Basis of qualifications in choice of town manager; his duties.**

The town manager shall be chosen by the selectmen solely on the basis of his executive and administrative qualifications and his technical knowledge of municipal engineering, and he shall be the administrative head of the town government, and shall be responsible to the selectmen for the administration of all departments of the town over which the selectmen, 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 fix the compensation of his employees, and designate the time of payment subject to confirmation by said selectmen.
- (d) To act as purchasing agent for all departments of the town, except the school department.
- (e) To attend the meetings of the board of selectmen, except when his removal is being considered, and recommend for adoption such measures as he may deem expedient.
- (f) To keep the selectmen fully advised as to the business, financial condition, and future needs of the town.

(g) To perform such other duties as may be prescribed by the selectmen.

**Sec. 7. Purchasing agent, except for schools.** 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 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 selectmen for payment. Provided, however, that no item, the purchase price of which exceeds \$100, shall be purchased by said town manager without the previous approval of the selectmen.

**Sec. 8. Devote entire time.** The town manager shall devote his entire time to the duties of his office, and shall receive for his services a rate of compensation to be fixed by the selectmen and actual and necessary expenses incurred in the performance of his duties, to be paid by the town treasurer in monthly payments on the 1st day of every month.

**Sec. 9. Officers sworn.** All town officers elected or appointed shall be sworn to the faithful performance of the duties of their respective offices.

**Sec. 10. Compensation; how fixed.** When not otherwise provided herein or by law, the compensation and fees of officers of said town, shall be fixed by a vote of the town at its annual meetings.

**Sec. 11. Orders issued and signed by selectmen.** No money shall be paid out of the town treasury except by warrant issued and signed by a majority of the selectmen and presented to the treasurer of said town at the time of payment.

**Sec. 12. Bonds required of those entrusted with money.** The selectmen of said town shall require a bond with sufficient surety or sureties, satisfactory to said selectmen, from all persons trusted with the collection, custody or disbursement of any of the moneys of the town.

**Sec. 13. Other town officers and provisions.** Any other town officers and any other requirements for conducting the affairs of the town, not specifically provided for herein, shall be continued in the same manner as are now or may hereafter be provided for under the general statutes, and all by-laws and ordinances which shall be in effect at the time this act shall be ratified shall not be affected by the provisions hereof unless inconsistent herewith.

**Sec. 14. Inconsistent acts repealed.** All acts or parts of acts inconsistent herewith in so far as they relate to the town of Dover-Foxcroft in the county of Piscataquis are hereby repealed.

## CHAP. 58

**Sec. 15. Ratification of act necessary.** This act shall not become operative until it is ratified by said town of Dover-Foxcroft, at an annual town meeting called by a warrant containing an article for the purpose, and when so ratified shall take effect from date of ratification. Voting shall be by check list. Unless this act is ratified by said town within 5 years of the effective date thereof, this act shall be null and void.

Approved April 2, 1937.

---

---

## Chapter 58

### AN ACT to Incorporate the Town of Livermore School District.

**Emergency preamble.** Whereas, the school building called the Riverside school in the town of Livermore was designed to accommodate no more than 85 pupils and there are now 125 pupils using said building, and

Whereas, an increase in the number of pupils attending said school is anticipated, and

Whereas, it is now necessary to hold 2 sessions of said school, one from 7:00 to 12:15 P. M., and another from 12:30 to 5:00 P. M., and

Whereas, the overcrowding of the capacity of said building is dangerous to the health and lives of the students of said school, and

Whereas, the families of the children attending said school are subjected to hardship because of the irregular hours of attendance, and

Whereas, the unusual hours make it difficult for the children to safely attend classes and maintain their necessary interest in their subjects, and

Whereas, the long hours that the teaching staff must put in prevent them from giving proper instruction, and

Whereas, if a new building that will properly house the children is to be built in time for the next school year immediate action must be taken, and

Whereas, the town of Livermore has reached its debt limit, and

Whereas, it will be impossible to borrow the necessary money to build said school building unless a school district is created, and

Whereas, in the opinion of the legislature, these facts render the immediate passage of this act necessary for the preservation of the public peace, health and safety, and constitute an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, now, therefore,