

# 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

Ninety-seventh Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

---

KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1955

---

---

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

---

---

Sec. 6. P. & S. L., 1903, c. 329, § 4, amended. Section 4 of chapter 329 of the private and special laws of 1903 is hereby amended to read as follows:

'Sec. 4. Jurisdiction. In addition to such jurisdiction as said court now has by law the Rumford Falls Municipal Court shall have original jurisdiction concurrent with the supreme judicial court, in all civil actions wherein the debt or damage demanded does not exceed \$300, in which any defendant or person summoned as trustee shall reside, or have a place of business in said county of Oxford, or, if not an inhabitant of the state, shall be commorant in the county of Oxford.'

Sec. 7. P. & S. L., 1903, c. 329, § 7, amended. Section 7 of chapter 329 of the private and special laws of 1903 is hereby amended to read as follows:

'Sec. 7. Exception to jurisdiction. The Rumford Falls Municipal Court shall not have or exercise jurisdiction in any criminal matter where the offense complained of is alleged to have been committed in any town in Oxford county situated in part or in whole on the westerly side of the Grand Trunk Railroad.'

Sec. 8. P. & S. L., 1907, c. 429, §§ 1-5, amended. Wherever in sections 1 to 5, inclusive, of chapter 429 of the private and special laws of 1907, as amended, the words "Rumford Falls Municipal Court" appear, they are hereby amended to read 'Rumford Municipal Court.'

Sec. 9. P. & S. L., 1907, c. 429, § 3, repealed and replaced. Section 3 of chapter 429 of the private and special laws of 1907 is hereby repealed and the following enacted in place thereof:

'Sec. 3. Shall render statement of moneys received; how accounted for and disposed of. The judge and the recorder of said court shall each render to the county treasurer, monthly, on or before the 3rd Tuesday thereof, a true statement in writing and sworn to by him, of all sums of money received or which he is entitled to receive by virtue of his said office, for the preceding calendar month, and pay to said treasurer all moneys collected by him during said preceding calendar month; and shall, on the regular monthly meeting of the county commissioners of said county, produce and exhibit his civil and criminal dockets to said county commissioners court for their examination, and also the original papers on file in his court, if they shall so require.'

Sec. 10. P. & S. L., 1911, c. 119, §§ 2 and 3, amended. Wherever in sections 2 and 3 of chapter 119 of the private and special laws of 1911 the words "Rumford Falls Municipal Court" appear, they are hereby amended to read 'Rumford Municipal Court.'

Effective August 20, 1955

## Chapter 174

### AN ACT to Amend the Charter of the City of Bath.

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

Sec. 1. P. & S. L., 1947, c. 82, c. II, § 201, amended. Section 201 of chapter II of chapter 82 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 201. City council; general powers. The general policy regarding, and the administration of all fiscal, prudential and municipal affairs of said city with the government thereof, except as otherwise herein provided, shall be and are vested in one body of ~~7~~ 9 members which shall constitute and be called the city council, and shall exercise its powers in the manner herein provided.'

Sec. 2. P. & S. L., 1947, c. 82, c. II, § 210, repealed and replaced. Section 210 of chapter II of chapter 82 of the private and special laws of 1947 is hereby repealed and the following enacted in place thereof:

'Sec. 210. Number, election, term. The city council shall be composed of 9 members, each of whom shall be elected by the registered voters of the entire city. Two shall be elected at large from the registered voters of the entire city, and one shall be elected from each of the 7 wards, from the registered voters of each ward. Each member shall be elected for a term of 2 years and until his successor is elected and qualified, except as hereinafter provided in this section. At the 1st election of members of the city council held after the adoption of this amendment, 9 members shall be elected; 2 members shall be elected at large, the member-elect who shall receive the largest number of votes cast shall hold office for 2 years, the member-elect who shall receive the 2nd largest number of votes cast shall hold office for 1 year, and each shall hold office until his successor is elected and qualified; and 7 members shall be elected, one from each ward, the 4 members-elect who shall receive the largest number of votes cast shall hold office for 2 years, the 3 members-elect who shall receive the 2nd largest number of votes cast shall hold office for 1 year, and each shall hold office until his successor is elected and qualified. At the said first election of members of the city council after the adoption of this amendment, in the event that 2 or more candidates shall receive the same number of votes for members of the city council at large or by wards, the terms of office of said candidates shall be determined by lot by the city clerk after reasonable notice to said candidates by said city clerk of the time and place of said determination.'

Sec. 3. P. & S. L., 1947, c. 82, c. II, § 212, amended. Section 212 of chapter II of chapter 82 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 212. Compensation. ~~No salary shall be paid to members~~ Each member of the city council shall receive the sum of \$250 per year in full compensation, the same to be paid quarterly. The city council by order shall fix the salaries and/or other compensation of the appointees of the city manager and of officials elected by the city council, including the salary of the city manager for his services as such and for all other services rendered by him, also of appointees of officials elected by the city council.'

Sec. 4. P. & S. L., 1947, c. 82, c. II, § 218, amended. Section 218 of chapter II of chapter 82 of the private and special laws of 1947, as amended by section 2 of chapter 177 of the private and special laws of 1951, is hereby further amended to read as follows:

'Sec. 218. Quorum. A majority of the ~~7~~ 9 members of the city council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or may compel attendance of absent members. At least 24 hours' notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.'

## PRIVATE AND SPECIAL, 1955

## CHAP. 174

Sec. 5. P. & S. L., 1947, c. 82, c. II, § 223-A, amended. Section 223-A of chapter II of chapter 82 of the private and special laws of 1947, as enacted by section 4 of chapter 177 of the private and special laws of 1951, is hereby amended to read as follows:

'Sec. 223-A. Removal of city clerk. The city council may remove the city clerk by a majority vote of its ~~11~~ 9 members. At least 30 days before such removal shall become effective, the council shall, by a majority vote of its ~~11~~ 9 members, adopt a preliminary resolution stating the cause for removal. The city clerk may reply in writing and may request a public hearing, which shall be held not earlier than 10 days nor later than 20 days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council, by majority vote of its ~~11~~ 9 members, may adopt a final resolution of removal.'

Sec. 6. P. & S. L., 1947, c. 82, c. II, § 231, amended. Section 231 of chapter II of chapter 82 of the private and special laws of 1947, as amended by section 5 of chapter 177 of the private and special laws of 1951, is hereby further amended to read as follows:

'Sec. 231. Removal of city manager. The council shall appoint the city manager for an indefinite term and may remove him by a majority vote of its ~~11~~ 9 members. At least 30 days before such removal shall become effective, the council shall by a majority vote of its ~~11~~ 9 members adopt a preliminary resolution stating the cause for his removal. The manager may reply in writing and may request a public hearing, which shall be held not earlier than 20 days nor later than 30 days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its ~~11~~ 9 members may adopt a final resolution of removal. By the preliminary resolution the council may suspend the manager from duty, but the regular salary of the manager shall continue to be paid to him during such period of suspension. If removal is voted, the city council shall cause to be paid to him forthwith any unpaid balance of his salary.'

Sec. 7. P. & S. L., 1947, c. 82, c. V, § 502, amended. The 1st paragraph of section 502 of chapter V of chapter 82 of the private and special laws of 1947, as repealed and replaced by section 17 of chapter 3 of the private and special laws of 1949 and as amended by section 8 of chapter 177 of the private and special laws of 1951, is hereby further amended to read as follows:

'The council shall elect by a majority vote of its ~~11~~ 9 members an officer of the city to serve an indefinite term, who shall have the title of city treasurer and tax collector.'

Sec. 8. P. & S. L., 1947, c. 82, c. V, § 502-A, amended. Section 502-A of chapter V of chapter 82 of the private and special laws of 1947, as enacted by section 9 of chapter 177 of the private and special laws of 1951, is hereby amended to read as follows:

'Sec. 502-A. Removal of city treasurer and tax collector. The city council may remove the city treasurer and tax collector by a majority vote of its ~~11~~ 9 members. At least 30 days before such removal shall become effective, the council shall by a majority vote of its ~~11~~ 9 members, adopt a preliminary resolution stating the cause for removal. The city treasurer and tax collector may reply in writing and may request a public hearing, which shall be held not earlier than 10 days, not later than 20 days, after the filing of such request. After

such public hearing, if one be requested, and after full consideration, the council, by majority vote of its ~~7~~ 9 members, may adopt a final resolution of removal.'

Sec. 9. P. & S. L., 1947, c. 82, c. VIII, § 801, amended. Section 801 of chapter VIII of chapter 82 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 801. Councillors, school board, warden, ward clerk, ward constable. On the 2nd Monday of February, A. D. ~~1948~~ 1956 the qualified voters of the city, in their respective wards, shall elect ~~7~~ 9 members of the city council pursuant to ~~the terms of subsection (a)~~ of section 210 of this charter as herein amended; 1 member of the board of education; and the qualified voters of each ward shall, at the same time, elect a warden, ward clerk and ward constable for their ward.

Thereafter, on the 2nd Monday in February annually, a regular municipal election shall be held and the qualified voters of the city ~~in their respective wards~~ shall elect ~~7~~ 4 or 5 members (as the case may be) of the city council pursuant to ~~the terms of subsection (b)~~ of section 210 of this charter as herein amended; 1 member of the board of education together with such members as are necessary to fill any vacancies which then may exist in said board; and the qualified voters of each ward shall at the same time elect a warden, ward clerk and ward constable for their ward.

All votes cast for the several offices shall be sorted, counted, declared and registered in open ward meeting as required by law. The ward clerk shall forthwith deliver to the city clerk a certified copy of the records of such election.

After the 1st election held ~~under this charter~~ pursuant to the terms of said section 210 as herein amended, the then municipal officers, and thereafter, following the regular city election, the city council shall, not longer than 24 hours after such election, examine the copies of the records of the several wards, certified as aforesaid, and shall determine the successful candidates according to the laws of the state of Maine and shall cause the persons who shall have been elected members of the city council, and the persons who shall have been elected members of the school board, wardens, ward clerks and ward constables, to be notified in writing of their election. If it shall appear that one or more of the offices to be filled by said election has not been filled, or if at any election the person shall refuse to accept the office for which he has been elected, warrants for another and special election to fill such vacancy or vacancies shall be issued forthwith.

At any election, the person or persons having the highest number of votes for an office, not exceeding the number to be chosen, shall be deemed and declared elected to such office.'

Sec. 10. P. & S. L., 1947, c. 82, c. VIII, § 803, amended. Section 803 of chapter VIII of chapter 82 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 803. Nomination of candidates to be by petition. The nomination of all candidates for elective offices provided for by this charter shall be by petition. The petition of candidates for warden, ward clerk and ward constable shall be signed by not less than 15 nor more than 30 qualified voters of the ward in which said candidates are residents. The petition of each candidate for member of the city council shall be signed by not less than ~~25~~ 50 nor more than ~~50~~ 100 qualified voters of the ~~ward in which said candidate is a resident~~ city. No

PRIVATE AND SPECIAL, 1955

CHAP. 174

voter shall sign petitions for more than ~~one~~ ~~candidate~~ 4 or 5 candidates (as the case may be) for each office to be filled at the election and should he do so his signature shall be counted only upon the first ~~petition~~ 4 or 5 petitions (as the case may be) filed, and shall be void upon all other petitions.'

Sec. 11. P. & S. L., 1947, c. 82, c. VIII, § 808, amended. Section 808 of chapter VIII of chapter 82 of the private and special laws of 1947, as last amended by section 16 of chapter 177 of the private and special laws of 1951, is hereby further amended to read as follows:

'Sec. 808. Determination of position of names upon ballot. The position upon the ballot of the names of the candidates nominated, as hereinbefore provided, shall be determined by lot and said names shall be so placed upon said ballot under the title of the office to be filled. Said determination of said position by lots shall be conducted by the city clerk at which said candidates or their representatives shall be entitled to be present. Candidates shall be notified of the time and place of such drawing at least 24 hours in advance thereof. The ballot shall be without party mark or designation. The name and residence of each candidate shall be given. At the right of each name shall be a square within which the voter shall place a cross (X) or check mark (✓) to designate his choice. A blank space shall be left at the end of the list of candidates for each office in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote. The ballot shall be printed substantially as follows:

(Back of the Ballot)

"OFFICIAL BALLOT

BATH

WARD .....

Monday ..... A.D.

(Facsimile of Signature)  
City Clerk."

(Face of the Ballot)

To vote for a candidate mark a cross (X) or check mark (✓) in the square at the right of the candidate's name and residence.

If you wrongly mark, tear or deface the ballot, return it and obtain another.

FOR MEMBERS OF CITY COUNCIL

Vote for

"COUNCILMAN AT LARGE

( ) to be chosen  
Vote for ( )

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	Residence	



COUNCILMAN FROM WARD

( ) to be chosen  
Vote for ( )

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	

~~FOR BOARD OF EDUCATION~~

~~Vote for~~

SCHOOL COMMITTEE

One to be chosen  
Vote for one

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	Residence

~~FOR WARDEN~~

WARDEN

~~Vote for One~~

One to be chosen  
Vote for one

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	Residence

~~FOR WARD CLERK~~

WARD CLERK

~~Vote for One~~

One to be chosen  
Vote for one

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	Residence

~~FOR WARD CONSTABLE~~

CONSTABLES

~~Vote for One~~

One to be chosen  
Vote for one

Mark cross (X) or check  
mark (✓) in this column

Name of candidate and residence	Residence

Mark a cross (X) or check mark (✓) in the square at the right of your answer."

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose

of permitting its submission to the legal voters of the city of Bath at any regular or special city election held within 1 year from the effective date of this act, an appropriate article being inserted in the call for such election. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said city shall not be required to prepare for posting, nor the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the act amending the charter of the city of Bath, in reference to the size, election and remuneration of the city council, passed by the 97th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act equaled or exceeded 20% of the total vote for all candidates for governor in said city at the next previous gubernatorial election.

The result of such election shall be declared by the municipal officers of the city of Bath and due certificate thereof filed by the city clerk with the Secretary of State.

Effective August 20, 1955

---



---

## Chapter 175

### AN ACT Relating to Purposes of the Associated Hospital Service of Maine (Blue Cross, Blue Shield).

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

**Sec. 1.** P. & S. L., 1939, c. 24, § 3, amended. Section 3 of chapter 24 of the private and special laws of 1939 is hereby amended to read as follows:

**'Sec. 3. Purposes.** To establish, maintain and operate a nonprofit hospital service plan, whereby hospital care may be provided by hospitals or groups of hospitals with which this corporation has a contract for such purpose, to such ~~of the public persons or groups of persons~~ as become subscribers to said plan under a contract which entitles each subscriber to certain hospital care, and the hospital or hospitals so contracting with this corporation shall be governed by this section and shall be exempt from all other provisions of the insurance laws of this state, unless otherwise specifically provided herein.'

**Sec. 2.** P. & S. L., 1939, c. 24, § 3-B, additional. Chapter 24 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section, to be numbered 3-B, to read as follows: