

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-eighth 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

1957

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

Chapter 88

AN ACT Amending the Charter of the City of Portland.

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

Sec. 1. P. & S. L., 1923, c. 109, Art. VI, § 1, sub-§§ (a) and (b), amended. Subsections (a) and (b) of section 1 of Article VI of chapter 109 of the private and special laws of 1923, as amended by section 5 of chapter 72 of the private and special laws of 1947, are hereby further amended to read as follows:

'(a) The following officers and boards shall be appointed by ballot by the vote of 5 members of the city council: city manager, city clerk, corporation counsel, ~~treasurer and tax collector, auditor~~ assessors of taxes, health officer, trustees of Evergreen Cemetery, 2 members of board of registration under section 11 of chapter 3 of the Revised Statutes of ~~1944~~ 1954, and they may elect 9 constables at large.

(b) The following officers shall be appointed by the city manager, subject to confirmation by the city council: commissioner of public works, director of parks and recreation, city electrician, chief of police, chief of the fire department, director of public welfare, city physician upon recommendation of the health officer, inspector of buildings who shall give all his time to the work of his office and who shall not have any interest, direct or indirect, in any building or material concern, personnel director, **director of finance** and all other department heads whose position may from time to time be created by ordinance.'

Sec. 2. P. & S. L., 1923, c. 109, Art. VII, § 1, amended. Section 1 of Article VII of chapter 109 of the private and special laws of 1923, as amended by section 12 of chapter 72 of the private and special laws of 1947, is hereby further amended to read as follows:

'Sec. 1. **Accounts and records.** Accounts shall be kept by the ~~auditor~~ **director of finance**, showing the financial transactions of all departments of the city. The general accounting system shall be recommended by the ~~auditor~~ **director of finance** and prescribed by the city manager, with the approval of the city council. Accounts shall be kept in such a manner as to show fully at all times the financial condition of the city. The ~~auditor~~ **director of finance** shall furnish to the city manager each month a report containing in detail the receipts and disbursements of the city on all accounts, and for each appropriation item, the expenditures made and the obligations incurred during the preceding calendar month, and the total unencumbered balance. **All the accounts of the city shall be audited annually by a qualified accountant to be chosen by the city council.**

Sec. 3. P. & S. L., 1923, c. 109, Art. VII, § 2, amended. Section 2 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 2. **Director of finance to be treasurer and collector.** ~~All the accounts of the city shall be audited annually by a qualified accountant to be chosen by the city council.~~ The director of finance shall have and perform for the City of Portland all of the powers and duties imposed by law upon **treasurers and collectors of taxes.**

Sec. 4. P. & S. L., 1923, c. 109, Art. VII, § 3, amended. The 1st sentence of section 3 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'The ~~auditor~~ director of finance shall publish each month a statement of the financial condition of the city.'

Sec. 5. P. & S. L., 1923, c. 109, Art. VII, § 6, repealed and replaced. Section 6 of Article VII of chapter 109 of the private and special laws of 1923, as amended by section 14 of chapter 72 of the private and special laws of 1947 and by section 1 of chapter 28 of the private and special laws of 1953, is hereby repealed and the following enacted in place thereof:

'Sec. 6. Transfers. All appropriations in the annual budget shall lapse at the close of the fiscal year unless specifically continued by order of the city council, and the unencumbered balances shall be transferred to the surplus account.'

Sec. 6. P. & S. L., 1923, c. 109, Art. VII, § 7, amended. Section 7 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 7. Borrowing. The borrowing of money by and for the city shall be limited as to form and purpose by the provisions of section 8 and section 9 of this article ~~seven of this charter~~. The credit of the city shall in no manner be loaned to any individual, association or corporation.'

Sec. 7. P. & S. L., 1923, c. 109, Art. VII, § 9, amended. The last sentence of section 9 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'This section shall not limit in any way the power granted to towns and cities to borrow money as contained in ~~chapter four, section sixty-two~~ of the Revised Statutes of the State of Maine and acts amendatory thereof and additional thereto.'

Sec. 8. P. & S. L., 1923, c. 109, Art. VII, § 11, amended. Section 11 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 11. Payments. Money shall be paid out only on warrants on the city treasury issued by the ~~auditor and countersigned by the city manager and a member of the city council to be designated from time to time by said city council~~ director of finance.

The ~~auditor~~ director of finance shall examine all payrolls, bills and other claims and demands against the city, and shall issue no warrant for payment until he finds that the claim is in proper form, correctly computed, duly certified and legally due and payable.

The ~~auditor~~ director of finance may require any claimant to make oath to the validity of his claim, may investigate any claim, and for such purpose or purposes may examine witnesses under oath.'

Sec. 9. P. & S. L., 1923, c. 109, Art. VII, § 13, amended. Section 13 of Article VII of chapter 109 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 13. Collection and custody of city moneys. All moneys received by any officer, employee or agent of the city belonging to the city, or for or in

connection with the business of the city, shall forthwith be paid by the officer, employee or agent receiving the same into the city treasury, and shall then be deposited by the ~~city treasurer~~ director of finance with some responsible banking institution or institutions to be chosen by said city council. All interest from all deposits of money belonging to the city shall accrue to the benefit of the city.'

Effective August 28, 1957

Chapter 89

AN ACT to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District.

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

Sec. 1. P. & S. L., 1854, c. 201 and P. & S. L., 1927, c. 70, repealed. Chapter 201 of the private and special laws of 1854 and chapter 70 of the private and special laws of 1927, creating and perpetuating the Bridgton Centre Village Corporation, and all acts additional thereto and amendatory thereof, are hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said corporation and of all its departments shall survive for the purpose of prosecuting and defending all pending suits and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against said corporation or exist in favor of any creditor.

Sec. 2. Property, assets, etc., except water department, to become property of town. Immediately after this act becomes fully effective, all the assets, property, real and personal, records, and the various departments, except the assets, property real and personal, and records of the water department of Bridgton Centre Village Corporation, as it existed prior to the fully effective date of this act, shall become the property of, and title thereto shall be vested in, the Town of Bridgton, and said town shall automatically assume and carry on all the functions of Bridgton Centre Village Corporation and of all its departments, except its water department, and shall assume all the liabilities and obligations outstanding against said corporation and its departments, except its water department; and said town is hereby authorized and empowered to raise funds by loan, or taxation, or both, from time to time as found necessary to carry on said functions and defray the indebtedness thereof, if any, and all valid contracts, except contracts of the water department of said Bridgton Centre Village Corporation, and any and all bond issues and indebtedness of said Bridgton Centre Village Corporation, except bond issues and indebtedness of the water department of said Bridgton Centre Village Corporation, as may have existed prior to the fully effective date of this act, shall be assumed, executed and carried out according to the terms thereof by the town of Bridgton.

Sec. 3. Property, assets, etc. of Water Department to become property of Bridgton Water District. Immediately after this act becomes fully effective, all the assets, property, real and personal, and records of the Water Department of Bridgton Centre Village Corporation, as said Department existed prior to the fully effective date of this act, shall become the property of, and title thereto shall be vested in, the Bridgton Water District, hereinafter created, and said District shall automatically assume and carry on all the functions of Bridgton Water Department, and shall assume all liabilities and obligations outstanding against the Water Department of the Bridgton Centre Village Corporation, and