

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

Sec. 13. Inconsistent statutes repealed. All acts and parts of acts inconsistent herewith, and all provisions of the charter and ordinances of the city of Hallowell inconsistent with this act, are hereby repealed or modified so as to conform to the provisions of this act.

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 Hallowell at an election to be held on the 2nd Monday in September, 1957, and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said city to meet in the several ward meetings of said city, there to cast their ballot on the approval or rejection of this act.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act to Amend the Charter of the City of Hallowell re Nominations and Elections,' passed by the 98th 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 the purpose of nominating and electing officers hereunder immediately upon its acceptance by a majority of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for Governor in said city at the next previous gubernatorial election, and for all other purposes this act shall take effect immediately following the first election held under the provisions hereof.

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

Effective August 28, 1957

Chapter 104

AN ACT Amending 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, § 211, amended. Section 211 of chapter II of chapter 82 of the private and special laws of 1947, as amended by section 1 of chapter 65 of the private and special laws of 1955, is hereby further amended to read as follows:

Sec. 211. Qualifications. Councilmen shall be qualified electors of ~~the ward in the city in which they are a candidate for office~~ and remain inhabitants of the city during their term of office. ~~No councilman shall represent any ward of the city other than that ward of which he is a qualified elector. They shall hold no office of emolument or profit under the city charter or ordinances; nor~~ They shall ~~they~~ not participate directly or indirectly in any commercial transaction with any office, department or agency of the city whatsoever during their term of office. If a councilman shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his office shall immediately become vacant. Candidates for election to the position of council-

man of the city of Bath from a designated ward therein shall be qualified electors of the ward in which they are candidates for election as city councilman.'

Sec. 2. P. & S. L., 1947, c. 82, c. II, § 220, repealed and replaced. Section 220 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. 220. Vacancies in council. In the event a seat in the council becomes vacant by reason of the death, resignation or other disqualification of any councilman, such vacancy shall be filled at the next regular state or municipal election held in the city of Bath; provided, however, if there shall be a total of 3 seats in the council vacant for any reason, the last such vacancy occurring more than 6 months prior to the next regular municipal election, the vacancies for the then existing 3 unexpired terms shall be filled within 60 days from the date upon which the 3rd such vacancy occurred, by a special election, the warrant for which shall, upon vote of the city council, be issued by a member of the city council by vote designated for that duty.'

Sec. 3. 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, as amended by section 8 of chapter 65 and by section 10 of chapter 174, both of the private and special laws of 1955, is hereby further 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. Candidates for election to the position of councilman of the city of Bath from a designated ward therein shall be qualified electors of the ward in which they are candidates for election as city councilman. 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 qualified electors residents. The petition of each candidate for member of the city council and board of education shall be signed by not less than 50 nor more than 100 qualified voters of the ward in which said candidate is a qualified elector city. No voter shall sign petitions for more than 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 4 or 5 petitions (as the case may be) filed, and shall be void upon all other petitions.'

Sec. 4. P. & S. L., 1947, c. 82, c. VIII, § 808, amended. The first 3 sentences of section 808 of chapter VIII of chapter 82 of the private and special laws of 1947, as amended by section 10 of chapter 65 and by section 11 of chapter 174, both of the private and special laws of 1955, are hereby further amended to read as follows:

'The position upon the ballot of the names of the candidates nominated, as heretofore provided, shall be determined by ~~lot~~ alphabetical order 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.~~

Sec. 5. P. & S. L., 1955, c. 65, inconsistent provisions repealed. Any provision of chapter 65 of the private and special laws of 1955 inconsistent with any of the provisions of chapter 174 of the private and special laws of 1955 is hereby repealed.