

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

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

District No. 41. In computing the general purpose aid subsidy allocation, the net foundation program of the district shall be distributed among the member municipalities in the same ratio as the average resident pupils of the member municipalities bears to the total average number of resident pupils in the School Administrative District. From the foundation program thus distributed shall be subtracted the yield of 20 mills times the member municipality's state valuation provided that no member municipality shall be required to appropriate more than 80% of the foundation program. The aid thus computed for the member municipalities shall be added together and shall be paid to the School Administrative District. In addition, the district shall receive the bonus as provided in the Revised Statutes, Title 20, section 3456.

Effective October 7, 1967

Chapter 105

AN ACT Relating to Retail Jewelers Association.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the following legislation is vitally necessary to permit the Retail Jewelers Association to carry out its duties as soon as possible and to render the service to its members which was intended by the association's formation; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Authority to use name. The Retail Jewelers Association is granted the authority to use the name "Maine Retail Jewelers Association."

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 15, 1967

Chapter 106

AN ACT to Establish the Augusta Civil Service Commission.

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

Sec. 1. P. & S. L., 1937, c. 61, repealed. Chapter 61 of the private and special laws of 1937, as amended, is repealed as of the date and in the event this Act is approved by the voters of the City of Augusta.

Sec. 2. P. & S. L., 1957, c. 169, Art. VIII, § 7, additional. Article VIII of chapter 169 of the private and special laws of 1957 is amended by adding a new section 7, to read as follows:

Sec. 7. Civil service commission. The city council may establish regulations for the appointment, training, service, promotion, demotion, layoff, suspension, reinstatement and removal of members of the police, fire, highway and other departments of the city, which may provide that the heads of such departments are subject to such regulations. The council may establish the Augusta Civil Service Commission to administer such regulations, to consist of 3 members serving without compensation. Such members shall be appointed by the mayor, with the advice and consent of the council. Initially, one shall be appointed for a 3-year term, one for 2 years and one for one year, with the terms thereafter to be for 3 years. Vacancies shall be filled for the unexpired balance of the term. Any member of the commission may be removed for cause by a vote of not less than $\frac{2}{3}$ of the members of the city council, following hearing thereon. Every member shall be a voter of the city, shall during his term of office neither hold nor be a candidate for any other public office or position, and shall not be a member of any local, state or national committee of a political party. There shall be no more than 2 members from any one political party at any time. The commission shall furnish an annual report to the city council. The regulations provided hereof and said commission shall not govern school teachers or administrators, members of the nonsalaried boards or commissions, special police, call men of the fire department, temporary employees or the city manager.

The commission shall have the power and authority to demote, lay off, suspend and remove employees for just cause and for reasons specifically given in writing to such employees within 24 hours of his demotion, layoff, suspension or removal. In all cases such employee, should he request such in writing from said commission, shall be furnished with written specifications of the charges against him, and may request a public hearing, in which event a public hearing shall be granted by said commission to be held at such time and place as the commission shall designate, and said employee shall have the right of representation by counsel, if he desires, at said hearing. Said hearing shall be held upon written charges made by said commission. Any such employee aggrieved by the decision of the commission after such public hearing may, within 20 days thereof, appeal to the city council of the City of Augusta who, after reviewing the finding of said commission, shall lay off, suspend, remove, demote or reinstate him. Review of the administrative action of the city council may be taken by the employee to a Justice of the Superior Court or Supreme Judicial Court.

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 qualified voters of the City of Augusta at a regular or special election thereof.

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 to Establish the Augusta Civil Service Commission, passed by the 103rd Legislature, be accepted?" 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 the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; but only if the total number of votes cast for and against the acceptance of this Act at said election equals or exceeds 10%

of the total vote cast in said city for all candidates for Governor at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the City of Augusta and due certificate thereof shall be filed by the city clerk with the Secretary of State.

For the purpose of its submission to the voters of the City of Augusta, this Act shall remain effective for a period of 2 years from the date of its passage, notwithstanding the fact that it may previously have been rejected by the voters of said City of Augusta.

Effective October 7, 1967

Chapter 107

AN ACT Amending Charter of City of Calais.

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

Sec. 1. P. & S. L., 1947, c. 172, Art. II, § 1, amended. The 5th paragraph of section 1 of Article II of chapter 172 of the private and special laws of 1947, as last repealed and replaced by section 1 of chapter 99 of the private and special laws of 1965, is repealed and the following enacted in placed thereof:

The said city shall for election purposes consist of one ward.

Sec. 2. P. & S. L., 1947, c. 172, Art. II, § 1, amended. The last paragraph of section 1 of Article II of chapter 172 of the private and special laws of 1947, as enacted by chapter 121 of the private and special laws of 1955, is repealed and the following enacted in place thereof:

The city council shall have the power to submit to the electors of the City of Calais such ordinances, orders and resolves as they see fit for approval or rejection by a referendum vote of said electors, except that the regular annual budget or appropriation ordinance shall not be submitted to the said electors as hereinbefore provided. The city council shall designate the date of the referendum, which shall in any event be within 30 days after the enactment by the council of any ordinance, order or resolve which is subject to such referendum. The city clerk shall prepare the required ballots, on which he shall reduce the subject matter to the following question: "Shall the proposed (ordinance, order or resolve as applicable) entitled (here insert descriptive title of ordinance, order or resolve) as heretofore published, be adopted?" and the electors shall indicate by a cross (X) or check mark (✓) placed against the words "Yes" or "No" their opinion of the same. In all such referendum elections the ordinance, order or resolve to be voted upon shall, in its entirety, be published at least once prior to said vote in a newspaper published in the City of Calais and a copy of said ordinance, order or resolve shall be posted in each of the voting places in said City of Calais on the date of any such referendum vote.

Sec. 3. P. & S. L., 1947, c. 172, Art. II, § 2, repealed and replaced. Section 2 of Article II of chapter 172 of the private and special laws of 1947, as last re-