

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws
OF THE
STATE OF MAINE

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said election; provided, however, 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 cast in said city at the next previous gubernatorial election. The result of the vote shall be declared by the municipal officers of said city of Waterville and due certificate thereof filed by the city clerk with the secretary of state.

Effective August 6, 1949

Chapter 125

AN ACT to Provide for a Police Commissioner for the City of Waterville.

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

Sec. 1. Appointment; term; qualifications. There is hereby established in the city of Waterville a police commissioner, who shall be a citizen of Waterville. The police commissioner shall be appointed by the mayor, with the consent and approval of the city government, for a term of 2 years, except that the term of the 1st police commissioner appointed under the provisions of this chapter shall expire at the expiration date of the city government then in power. No member of the city government, municipal officer, employee of the city of Waterville or any person while holding office or while receiving a pension from said city of Waterville shall act as police commissioner.

Sec. 2. Powers and duties. (a) The police commissioner of the city of Waterville shall have the authority to supervise and approve all appointments of the police force of the city of Waterville. Said commissioner shall also have power to appoint the marshal and deputy marshal and to remove all officers or patrolmen for cause. The appointment by said commissioner of any member of the police department shall be based on civil service regulations, and said police commissioner shall accept for appointment such persons as may receive the highest mark in any civil service examination, after having satisfactorily passed a physical examination based on civil service standards.

(b) All powers now vested in the present board of police are hereby vested and conferred in said police commissioner.

Sec. 3. Salary of police commissioner. The salary of the police commissioner shall be \$1 per year.

Sec. 4. Accommodations for department. The said police commissioner shall be provided with such rooms as shall be convenient and suit-

able for the performance of his duties by the city and at the expense of said city.

The said city shall also provide all suitable accommodations for the police of said city as said police commissioner shall require.

All rooms in all buildings and all property used by said police department shall be under the control of said police commissioner.

Sec. 5. Expenses of department; how paid. All expenses for the maintenance of said rooms, the pay of the police and all incidental expenses incurred in the administration of said police department shall be paid by said city upon the requisition of said commissioner; but no such expense shall be paid by said city until the bills therefor shall have passed through the regular channels of auditing and finance committees provided for by the officers of the city for the management of all its departments. When thus audited, approved and allowed, the mayor of said city shall draw his warrant for the payment of such expenses.

Sec. 6. Salaries of police officers. The board of aldermen and councilmen shall fix the salaries of the policemen, the deputies of the city marshal and of the city marshal, but in no instance shall the salary paid to these officers be less than that paid to officers of like grade during the year 1950 without the consent of the police commissioner.

Sec. 7. Annual report. The said police commissioner shall make a report of his doings annually to the city government at the close of the fiscal year.

Sec. 8. P. & S. L., 1927, c. 86, repealed. Chapter 86 of the private and special laws of 1927, as amended, is hereby repealed.

Sec. 9. Referendum; effective date. 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 Waterville voting by ballot at any regular or special election called under the provisions of the charter of the city of Waterville before January 1, 1951. 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 Provide for a Police Commissioner for the City of Waterville be accepted?" and the voters shall indicate by a cross or check mark placed under 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 20% of the total vote for all candidates for governor cast in said city at the next previous

gubernatorial election. The result of the vote shall be declared by the municipal officers of said city of Waterville and due certificate thereof filed by the city clerk with the secretary of state.

Effective August 6, 1949

Chapter 126

AN ACT Relating to the Taking of Clams, Quahogs, Mussels and Worms in the Town of Islesboro.

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

Digging of clams, quahogs, mussels and worms in the town of Islesboro. It shall be unlawful for any person to dig any clams, quahogs, mussels or worms within the limits of the town of Islesboro, in the county of Waldo, except a resident of said town. Provided further, that no such resident shall dig more than $\frac{1}{2}$ bushel of clams, quahogs or mussels in any 1 day within said town, without first having procured therefor a written license, which the selectmen are hereby authorized to issue upon payment of a fee of \$2. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued. Nothing herein shall prohibit hotel keepers from taking clams, quahogs or mussels for the use of their hotels nor fishermen from taking shellfish for bait nor any person from digging not in excess of $\frac{1}{2}$ bushel in any 1 day for his own use nor any riparian owner from digging on his own property.

For the purposes of this chapter, the term "a resident" shall mean a person who has resided in this state for the term of at least 6 consecutive months and in the town of Islesboro for at least 3 months immediately prior to the date when a claim of such residence is made.

Whoever digs clams, quahogs, mussels or worms in violation of the preceding provisions shall be subject to a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Effective August 6, 1949

Chapter 127

AN ACT Relating to the Salaries of the Judge and the Clerk of the Auburn Municipal Court.

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

Sec. 1. P. & S. L., 1915, c. 194, § 1, amended. Section 1 of chapter 194 of the private and special laws of 1915, as amended by section 1 of chapter