

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1315**

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H. P. 904

House of Representatives, March 2, 1967

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lewin of Augusta.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### **AN ACT to Establish the Augusta Civil Service Commission.**

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 P. & S. L., 1937, c. 61, repealed.** Chapter 61 of the private and special laws of 1937, as amended, is repealed as of the date and in the event this Act is approved by the voters of the City of Augusta.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

**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.