

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1670

H. P. 1341 House of Representatives, January 6, 1970
Committee on Legal Affairs suggested.

BERTHA W. JOHNSON, Clerk
Presented by Mr. Danton of Old Orchard Beach.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

**AN ACT Relating to Powers and Duties of the Public Safety Commission of
the Town of Old Orchard Beach.**

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

Sec. 1. P. & S. L., 1953, c. 179, § 1, amended. The first 2 sentences of section 1 of chapter 179 of the private and special laws of 1953 are amended to read as follows:

A ~~civil service~~ **public safety** commission, consisting of 3 residents of Old Orchard Beach, shall be elected at a special or regular town meeting as soon as convenient after this Act shall become effective, all of whom shall serve without pay. The members of the ~~civil service~~ **public safety** commission shall hold no other elective or appointive town office.

Sec. 2. P. & S. L., 1953, c. 179, § 2, amended. Section 2 of chapter 179 of the private and special laws of 1953, as amended by section 1 of chapter 122 of the private and special laws of 1963, is further amended by adding at the end, a new paragraph, as follows:

The commission shall establish policy and adopt and amend rules and regulations for the administration of said police and fire departments, and at the first regular meeting of the town council for the month of February, shall present to the town council a separate budget and appropriation request for the ensuing fiscal year for each department for appropriate action by that body.

Sec. 3. P. & S. L., 1953, c. 179, § 4, amended. The first sentence of section 4 of chapter 179 of the private and special laws of 1953, as amended by sec-

tion 3 of chapter 122 of the private and special laws of 1963, is further amended to read as follows:

All appointments to the fire department and the police department, except the chief and the assistant chief of the fire department and the chief of the police department, shall be made by the chiefs of the respective departments, subject to the approval of the commission, from the eligibility lists prepared by the ~~civil service~~ **public safety** commission, and all appointments shall terminate when appointee shall have attained his 65th birthday.

Sec. 4. P. & S. L., 1953, c. 179, § 5, amended. The 3rd sentence of section 5 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

The town clerk shall forward to the chairman of the ~~civil service~~ **public safety** commission all applications filed.

Sec. 5. P. & S. L., 1953, c. 179, § 7, amended. The 4th sentence of section 7 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

These officers shall have the right of appeal within 5 days to the ~~civil service~~ **public safety** commission, who shall grant a hearing within 15 days from the date of appeal, and the accused shall have the right of representation by counsel.

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 Town of Old Orchard Beach at the next statewide election. Such meeting shall be called, advertised and conducted according to the law relating to municipal elections.

The town clerk shall reduce the subject matter of this Act to the following question:

“Shall the Act Relating to Powers and Duties of the Public Safety Commission of the Town of Old Orchard Beach, passed by the First Special Session of the 104th 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 meeting; provided the total number of votes cast for and against the acceptance of this Act at said meeting equaled or exceeded 20% of the total vote cast for all candidates for Governor in said town at the next preceding gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Old Orchard Beach and due certificate thereof shall be filed by the town clerk with the Secretary of State.