

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 32

7
8 H.P. 31

House of Representatives, January 8, 1985

9 Reference to the Committee on State Government suggested and ordered
10 printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Strout of Corinth.

12 Cosponsored by Senator Pearson of Penobscot and Representative Soucy
of Kittery.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT Concerning Nonpartisan Offices Held by
19 Members of the State Police.
20

21 Emergency preamble. Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, interpretation of current provisions
25 concerning members of the State Police are ambiguous;
26 and

27 Whereas, several members of the State Police cur-
28 rently hold nonpartisan offices within their communi-
29 ties and their continuation in those positions is in
30 jeopardy without the clarification provided in this
31 legislation; and

32 Whereas, in the judgment of the Legislature,
33 these facts create an emergency within the meaning of
34 the Constitution of Maine and require the following

1 legislation as immediately necessary for the preser-
2 vation of the public peace, health and safety; now
3 therefore,

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

6 25 MRSA §1503 is amended to read:

7 §1503. Uniform and equipment

8 Members of the State Police shall be provided at
9 the expense of the State with a distinctive uniform
10 and badge, and with suitable equipment, all of which
11 shall remain the property of the State. When on duty
12 to enforce the laws of the road, and at such other
13 times as the chief may require, state policemen shall
14 be in uniform. ~~They shall hold no other office during~~
15 ~~their term of service.~~ It shall be unlawful for any
16 person to wear the prescribed uniform or badge of the
17 State Police or any distinctive part thereof, except
18 on order of the chief of ~~said~~ the State Police.

19 **Emergency clause.** In view of the emergency cited
20 in the preamble, this Act shall take effect when ap-
21 proved.

22 STATEMENT OF FACT

23 Present state law prohibits members of the State
24 Police from holding nonpartisan local service. This
25 bill is designed to permit members of the State Po-
26 lice to hold offices such as school board officials,
27 selectman and other nonpartisan offices.

28 The Maine Revised Statutes, Title 5, section
29 679-A, subsection 3, already prohibits election to
30 partisan positions.

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