

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

House Document

No. 92

H. P. 374

House of Representatives, Feb. 9, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sargent of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT Relating to Pensioning Members of the Police
Department of the City of Brewer.

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

Section 1. A pension of an amount which shall equal one
2 half his regular pay as a member of the police department
3 of the city of Brewer at the time when he shall become
4 entitled to receive said pension, shall be paid by the city of
5 Brewer to any of the following members of the police de-
6 partment of said city.

First: To any member of said department who shall be
2 certified in writing to the city council of said city, by a
3 majority of a board of at least three disinterested physicians
4 appointed by the mayor with the approval of the board of

5 aldermen, as being permanently incapacitated, either men-
6 tally or physically, by injuries sustained by said member,
7 but through no fault of his, in the actual performance of
8 duty, for further performance of duty as such member.

Second: To any member of said department who shall
2 have performed faithful service therein as such member for
3 a period of not less than twenty years, and if in the judg-
4 ment of the city council of said city said member is inca-
5 pacitated for further useful service in said department.

Sect. 2. To the widow of any member of said depart-
2 ment, so long as she shall remain single, except as herein-
3 after provided, who through no fault of his, and while in
4 the actual performance of his duty as such member, shall
5 receive injuries causing his death, said city of Brewer shall
6 pay a weekly pension of an amount which shall equal one
7 half his regular pay as a member of said police department
8 at the time of his death. Said payment of said pension to
9 said widow in no event to be made for a period of time in
10 excess of four hundred weeks.

Sect. 3. The pension provided for in the first subdivision
2 of section one of this act shall be paid to any such member
3 of said police department only so long as said member shall
4 actually remain and be permanently incapacitated for fur-
5 ther performance of duty as such member. If at any time
6 a board of not less than three disinterested physicians ap-
7 pointed by the mayor with the approval of the board of
8 alderman, after due notice to said member and hearing,

9 shall determine that any such member then receiving said
10 pension is capable of performing regular duty as such mem-
11 ber, then the payment of said pension shall cease, and the
12 said member shall be restored to duty and actual service in
13 said department.

Sect. 4. For the purposes of this act the city marshal or
2 chief of police of said city is hereby declared to be a mem-
3 ber of the police department and entitled to the benefits of
4 the provisions of this act.

Sect. 5. The city of Brewer is hereby authorized to ap-
2 propriate money to provide for the payment of the pen-
3 sions authorized by this act. Any money received as pension
4 under this act shall be in lieu of all other damages or com-
5 pensation now provided by law including compensation un-
6 der the workmen's compensation act.

Sect. 6. This act shall take effect upon its acceptance by
2 a majority vote of the legal voters of the city of Brewer
3 voting at the next regular election of the city of Brewer
4 after the passage of this act.