

# MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H   L E G I S L A T U R E

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Legislative Document

NO. 381

H. P. 863

House of Representatives, Feb. 1, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Carleton of Portland.

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S T A T E   O F   M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-  
THREE

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AN ACT Relating to the Tenure of Office of the Chief Engineer of the  
Fire Department of the City of Portland.

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

**Section 1. Tenure of office of the chief engineer of the fire department; removal from office.** The chief engineer of the fire department of the city of Portland shall, notwithstanding any inconsistent provisions of a city charter, hold office continuously during good behavior unless incapacitated through permanent physical or mental disability from performing the duties of said office, provided, however that the city council of Portland may by majority vote remove the chief engineer for just cause and for reasons specifically given by the council ordering removal.

**Sec. 2. Notice to person in case of removal.** The person sought to be removed shall have notice and shall be furnished with the copy of the reasons required to be given in section 1, and shall be allowed a reasonable time to answer the same in writing. A copy of such reasons, notice and answers, and of the order of removal shall be made a matter of public record of the city of Portland.

**Sec. 3. Appeal.** The person removed in accordance with this act shall have the right of appeal to the superior court. After such notices as the court deems necessary, it shall review such action, hear the witnesses, and

shall affirm the decision of the council, unless it shall appear that it was made without proper cause or in bad faith, in which case said decision shall be reversed and the petitioner be reinstated in his office without loss of compensation. The decision of the court shall be final.

**Sec. 4. Approval.** This act shall not be effective until the same has been accepted by majority vote of the city council of Portland.

**Sec. 5. Inconsistent act repeal.** All acts or parts of acts inconsistent with this act are hereby repealed.