

MAINE STATE LEGISLATURE

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Legislative Document

No. 1526

H. P. 1236

House of Representatives, May 5, 1955

Reported by Mr. Foster from the Committee on Legal Affairs and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to the Appointment of the Fire Chief and the Chief of Police
of the City of Saco.

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

Sec. 1. P. & S. L., 1953, c. 142, § 9, amended. The 1st paragraph of section 9 of chapter 142 of the private and special laws of 1953 is hereby amended to read as follows:

'The fire chief and the chief of police shall be ~~chosen~~ **appointed** by the board of commissioners ~~for a term of 2 years from the date of their election or until their successors shall be elected and qualified to serve until each shall arrive at the age of 70, when he shall be retired, unless previously removed by said board as hereinafter provided.~~ They shall qualify by being sworn by the city clerk of the city of Saco or by a justice of the peace, and in the event that they qualify before a justice of the peace, a certificate thereof shall be forthwith filed by said justice with the city clerk. The oath shall be to the faithful performance of their duties. They shall have and exercise all the powers and authority given to them by the statutes of the state and such special powers and authority as may, from time to time, be delegated to them by the board of commissioners for the police and fire departments.'

Sec. 2. P. & S. L., 1953, c. 142, § 16, amended. Section 16 of chapter 142 of the private and special laws of 1953 is hereby amended by adding at the end thereof the following paragraph:

'Any fire chief or chief of police serving in the fire department or police department at the time of the taking effect of this act shall be exempt from the qualifying age restriction of this act.'

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after the adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the city of Saco at the next annual municipal election to be held in January, 1956, or at a special election held for that purpose prior to said annual municipal election. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said city shall not be required to prepare for posting, nor the city clerk to post, a new list of voters.

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, passed by the 97th Legislature, to provide that the Fire Chief and the Chief of Police be appointed to serve until the age of 70 years when each shall be retired, be accepted?" and 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 vote of the legal voters voting at said election; provided the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for Governor in said city at the next previous gubernatorial election.

The result of such election shall be declared by the municipal officers of the city of Saco and a due certificate thereof shall be filed by the city clerk with the Secretary of State.