

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Transmitted by Director of Legislative Research pursuant to joint order.

---

---

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

---

---

**Legislative Document**

**No. 1446**

H. P. 1016

House of Representatives, March 28, 1957.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Davis of Westbrook.

---

---

**STATE OF MAINE**

**IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN**

---

**AN ACT Relating to Police Department and Pension System for Employees of  
City of Westbrook.**

---

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

**Sec. 1. P. & S. L., 1907, c. 257, § 20, repealed and replaced.** Section 20 of chapter 257 of the private and special laws of 1907, as amended by section 2 of chapter 275 of the private and special laws of 1909 and by chapter 41 of the private and special laws of 1929, is hereby repealed and the following enacted in place thereof:

‘Sec. 20. Police department established; chief, appointment, tenure of office. The city council shall establish a police department for said city, to consist of a chief of police and such further officers and men as it may prescribe, and shall make regulations for the government of such department.

The chief of police shall be appointed by the mayor, with the approval of 2/3 of the city council. The chief shall hold such office until:

I. Retirement; or

II. He resigns and such resignation is accepted by the mayor and council; or

III. He is removed for good and sufficient cause, on complaint of the mayor, sustained by a 2/3 vote of the city council.’

**Sec. 2. P. & S. L., 1907, c. 257, § 20-A, additional.** Chapter 257 of the private and special laws of 1907, as amended, is hereby further amended by adding thereto a new section, to be numbered 20-A, to read as follows:

**'Sec. 20-A. Pension systems.** The city council, subject to the established powers of the mayor, may institute a system of pensions for all municipal employees, including any benefits to be paid if such employee shall die or become disabled while in the performance of his duties. Nothing herein shall be construed to decrease existing benefits to municipal employees.'

**Sec. 3. P. & S. L., 1907, c. 257, § 24, amended.** The first sentence of section 24 of chapter 257 of the private and special laws of 1907 is hereby amended to read as follows:

**'Unless herein otherwise provided,** The the mayor shall have the sole power of appointment to all the municipal offices established by or under this act ~~unless herein otherwise provided~~; and he may remove from office, by written order, any officer so appointed hereunder, for any cause which he shall in his official discretion deem sufficient, which cause he shall assign in his order of removal.'

**Sec. 4. P. & S. L., 1907, c. 257, § 26, repealed.** Section 26 of chapter 257 of the private and special laws of 1907 is hereby repealed.

**Sec. 5. P. & S. L., 1907, c. 257, § 30, sub-§ IV, repealed.** Subsection IV of section 30 of chapter 257 of the private and special laws of 1907 is hereby repealed.

**Sec. 6. P. & S. L., 1907, c. 257, § 32, amended.** Section 32 of chapter 257 of the private and special laws of 1907 is hereby amended to read as follows:

**'Sec. 32. Eligibility of persons elected to office; when office becomes vacant.** No person shall be eligible for election ~~or appointment~~ to any office established by this act, unless at the time of election he shall have been a citizen of the United States and a resident of the city for at least 3 months, except the office of superintendent of schools. Any office established by or under this act shall become vacant if the incumbent thereof ceases to be a resident of the city.'

**Sec. 7. Inconsistent acts repealed.** All acts or parts of acts inconsistent with the provisions of this act are hereby repealed or amended to conform hereto.

**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 city of Westbrook at the next regular municipal election to be held in December, 1957, an appropriate article being inserted in the call for such election. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall An Act Relating to Police Department and Pension System for Employees of City of Westbrook, passed by the 98th Legislature, 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 on the first Monday in January, 1958, if accepted by a majority of the legal voters at said election; provided that the total number of votes cast for and against the acceptance of this act 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 the vote shall be declared by the municipal officers of the city of Westbrook and due certificate thereof filed by the city clerk with the Secretary of State.