

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

# STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

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## Chapter 99

### AN ACT Permitting the Digging of Clams in Limits of Biddeford for Bait Only.

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

**Digging of clams in limits of Biddeford for bait.** It shall be lawful to dig clams on any of the flats within the territorial limits of the City of Biddeford, York county, provided said clams are not used for any other purpose than as bait for fishing. Such digging and taking shall be limited to residents of the City of Biddeford only and not more than one bushel of clams per person per tide may be taken. Provided further, that no one shall dig clams for fish bait in Biddeford without first having obtained a permit from the Commissioner of Sea and Shore Fisheries. No fee shall be charged for such a permit and such permits may be granted or revoked at the discretion of the Commissioner.

Effective August 20, 1955

## Chapter 100

### AN ACT to Amend the Act Providing for the Board of Commissioners of Police for the City of Augusta.

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

**Sec. 1. P. & S. L., 1937, c. 61, § 1, amended.** Section 1 of chapter 61 of the private and special laws of 1937, as amended by section 4 of chapter 41 of the private and special laws of 1943, is hereby further amended to read as follows:

**'Sec. 1. Organization.** The police department of the City of Augusta shall consist of a chief of police, deputy-chief of police, ~~as captains~~ such other officers as the board of commissioners shall determine, and patrolmen to the number determined by the mayor and city council of said city.'

**Sec. 2. P. & S. L., 1937, c. 61, § 5, amended.** Section 5 of chapter 61 of the private and special laws of 1937, as amended by section 5 of chapter 41 of the private and special laws of 1943, is hereby further amended to read as follows:

**'Sec. 5. Procedure.** When said board of commissioners shall have qualified, they shall meet and elect a chairman and clerk of their own number, and shall forthwith select and appoint in the manner hereinafter provided said patrolmen, 1 of whom shall be designated by them as Chief of Police, 1 as deputy-chief of police, and ~~as as captains~~ others as other officers; all of whom shall constitute the police department of said city of Augusta.'

**Sec. 3. P. & S. L., 1937, c. 61, § 6, amended.** The last 2 sentences of section 6 of chapter 61 of the private and special laws of 1937, as amended by section 1 of chapter 180 of the private and special laws of 1947, are hereby further amended to read as follows:

'The physical examination prescribed by said board shall be conducted by the city physician without additional compensation above his salary, and in case of a vacancy in the office of city physician or in case the board should so determine

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the board may secure the services of any licensed doctor and any expense thereof shall be paid from the appropriation of the board. Should a candidate fail to be appointed as patrolman within 1 year from an examination, he shall be required to have another physical examination before further consideration.'

Sec. 4. P. & S. L., 1937, c. 61, § 7, amended. The 1st sentence of section 7 of chapter 61 of the private and special laws of 1937, as repealed and replaced by section 2 of chapter 180 of the private and special laws of 1947, is hereby amended to read as follows:

'Any male between the ages of ~~21~~ 21 and 40 shall be eligible to appointment as patrolman, provided he shall have made written application therefor and shall have satisfactorily passed the qualification tests prescribed by said board.'

Sec. 5. P. & S. L., 1937, c. 61, § 9, amended. The 1st sentence of section 9 of chapter 61 of the private and special laws of 1937, as amended by section 1 of chapter 41 of the private and special laws of 1943, is hereby further amended to read as follows:

'The officers of the police department shall be a chief of police, a deputy-chief of police and ~~2~~ captains, ranking in the order named such other officers as the board of commissioners shall determine with such duties as said board shall designate.'

Sec. 6. P. & S. L., 1937, c. 61, § 10, amended. The last 2 sentences of section 10 of chapter 61 of the private and special laws of 1937, as amended by section 2 of chapter 41 of the private and special laws of 1943 and repealed and replaced by section 3 of chapter 180 of the private and special laws of 1947, are hereby repealed and the following enacted in place thereof:

'Any such officer, aggrieved by the decision of the commission after such public hearing, may within 20 days thereof appeal to the mayor and council of the City of Augusta who, after reviewing the finding of said commissioners, shall lay off, suspend, remove, demote or reinstate him.'

Sec. 7. P. & S. L., 1937, c. 61, § 11, amended. The first 2 sentences of section 11 of chapter 61 of the private and special laws of 1937, as amended by section 2 of chapter 64 of the private and special laws of 1943 and repealed and replaced by section 4 of chapter 180 of the private and special laws of 1947, are hereby amended to read as follows:

'Temporary patrolmen ~~shall~~ may be appointed by the commissioners without the necessity of qualification tests or satisfaction of the age limits set for regular members of the department to fill temporary vacancies or when otherwise needed by the department for a limited time. Special police ~~shall~~ may be appointed by the commissioners to be assigned for special duty in the institutions and industries of the city and upon request to protect other persons and property, and ~~shall~~ need not be subject to the qualification tests or age limits set for the regular members of the department.'

Sec. 8. P. & S. L., 1937, c. 61, § 14, amended. Section 14 of chapter 61 of the private and special laws of 1937, as amended by section 3 of chapter 41 of the private and special laws of 1943, is hereby further amended to read as follows:

'Sec. 14. **Compensation.** The compensation of the chief of police, deputy-chief of police, ~~captains~~ other officers and patrolmen shall be fixed by the city council of said city.'

Sec. 9. P. & S. L., 1937, c. 61, § 20, amended. Section 20 of chapter 61 of the private and special laws of 1937, as enacted by section 6 of chapter 180 of the private and special laws of 1947, is hereby amended to read as follows:

'Sec. 20. **Reports; recommendations.** The board of police commissioners shall make an annual report with recommendations, if desired, to the mayor and city council on or before the 1st day of ~~January~~ February of each year and at such other time or times as said board may deem desirable.'

Effective August 20, 1955

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## Chapter 101

AN ACT to Incorporate Maine Oil and Heating Equipment Dealers' Association.

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

Sec. 1. **Incorporation and purposes.** Louis P. Bail, Edward P. Hacker, H. Kezar Libby, Allen Morrell, George H. Musk, Gard Twaddle, Jr., George M. Wingate and all persons who may hereafter become associated with them, are hereby created a corporation by the name of the Maine Oil and Heating Equipment Dealers' Association, for the following purposes: to improve relationships between dealers in the oil and heating equipment industry and relationships between the members of the industry and the public; to improve the standards of installation and servicing of heating equipment; to promote the sale of fuel oil and to promote and foster the best interests of the consumer; to seek methods of promoting sound economic practices among its members; to inculcate just and equitable principles among its members; to acquire, possess and disseminate useful information for its members, and generally to promote the welfare of its members and the prosperity of the oil and heating equipment industry in the State of Maine, and by that name shall have power to sue and be sued, and possess all the rights and privileges of corporations under the laws of this State.

Sec. 2. **Officers and by-laws.** Said corporation may elect such officers as it may deem necessary, and may adopt such constitution, by-laws, rules and regulations, not inconsistent with the laws of this State, as it may deem proper for the management of its affairs, including the admission, government and expulsion of members.

Sec. 3. **First meeting.** The first meeting of the corporation may be called by any one of the persons named in this act, by mailing, postage prepaid, notice of the time and place of such meeting to each of the persons so named, at least one week prior to such meeting.

Sec. 4. **Recording certificate; fees.** Before commencing business the aforesaid corporation shall make and record a certificate of incorporation in accordance with the provisions of section 4 of chapter 54 of the revised statutes of 1954, within the time limit therein expressed, and pay the fees as required by said section 4.

Effective August 20, 1955