

HOUSE No. 3859

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
, MA

KARYN POLITO
LIEUTENANT GOVERNOR

November 17, 2015

To the Honorable Senate and House of Representatives,

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, "An Act Authorizing the Town of Manchester-by-the-Sea to Employ Albert B. Beardsley as Fire Chief."

The Board of Selectmen of Manchester-by-the-Sea has requested that I file this special legislation on behalf of the town. The purpose of the legislation is to permit Albert B. Beardsley to serve as the fire chief on an interim basis until August 31, 2016, while the town completes the process of hiring a permanent fire chief. Because Mr. Beardsley has recently turned 65 years of age, for him to serve in this capacity requires a waiver of the mandatory retirement age.

This legislation would achieve this result and I urge your early and favorable consideration of this bill.

Respectfully submitted,

Charles D. Baker,
Governor

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Message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Manchester-by-the-Sea to employ Albert B. Beardsley as fire chief.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the town of Manchester-by-the-Sea to employ Albert B. Beardsley as interim fire chief.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, Albert B.
2 Beardsley may be appointed and may serve in the position of interim chief of the fire department
3 of the town of Manchester-by-the-Sea, until August 31, 2016, until the date of his retirement, or
4 until the date he is relieved of his duties by the town administrator, whichever occurs first;
5 provided, however, that he is mentally and physically capable of performing the duties of his
6 office. The board of selectmen of the town of Manchester-by-the-Sea, at its own expense, may
7 require that Albert B. Beardsley be examined by an impartial physician designated by the board
8 to determine his mental and physical capability. No further deductions shall be made from the
9 regular compensation of Albert B. Beardsley under chapter 32 of the General Laws for any
10 service subsequent to September 1, 2015, and upon retirement, he shall receive a superannuation
11 retirement allowance equal to that which he would have been entitled had he retired on
12 September 1, 2015.

SECTION 2. This act shall take effect upon its passage.