

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 778

S. P. 261

In Senate, January 25, 1961

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Mayo of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Bring State Police, Coastal Wardens and Fish and Game Wardens Under Personnel Law.

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

Sec. 1. R. S., c. 15, § 1, repealed and replaced. Section 1 of chapter 15 of the Revised Statutes, as amended by section 5 of chapter 363 of the public laws of 1959, is repealed and the following enacted in place thereof:

'Sec. 1. Chief; appointment and duties; deputy chief; members of force. The Governor, with the advice and consent of the Council, shall appoint a Chief of the State Police, as heretofore appointed, to serve for a term of 4 years unless removed for cause. Such appointment may be made from the membership of the State Police. He may be removed by the Governor and Council only after charges have been preferred in writing and, if he so requests, after public hearing. The chief shall be the executive head of the Department of the State Police, as heretofore established, and shall execute the duties of his office under the direction and subject to the approval of the Governor and Council. Subject to the approval of the Governor and Council, the chief may designate a commissioned officer of the State Police to act as his deputy. Subject to the Personnel Law, the Chief of the State Police may enlist suitable persons as members of the State Police to enforce the law and employ such other employees as may be necessary. The Chief of the State Police shall make rules and regulations, subject to the approval of the Personnel Board, for the discipline and control of the State Police.'

Sec. 2. R. S., c. 37, § 24, amended. The first paragraph of section 24 of chapter 37 of the Revised Statutes, as revised, is repealed and the following enacted in place thereof:

'The commissioner shall appoint persons as fish and game wardens who shall have qualified under the written code prepared by the commissioner and approved by the State Personnel Board. The compensation of the wardens shall be determined under the Personnel Law.

Sec. 3. R. S., c. 37, § 27, repealed. Section 27 of chapter 37 of the Revised Statutes, as revised, which relates to the Civil Service Commission, is repealed.

Sec. 4. R. S., c. 37, § 28, repealed and replaced. Section 28 of chapter 37 of the Revised Statutes, as revised, is repealed and the following enacted in place thereof:

'Sec. 28. Code. The commissioner shall prepare a written code covering the operating procedure of the warden service which shall be effective when approved by the State Personnel Board.'

Sec. 5. R. S., c. 37, §§ 29 - 33, repealed. Sections 29 to 33 of chapter 37 of the Revised Statutes, as revised, are repealed.

Sec. 6. R. S., c. 37-A, § 7, sub-§ V, repealed. Subsection V of section 7 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is repealed.

Sec. 6. R. S., c. 37-A, §§ 8 - 11, repealed. Sections 8 to 11 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, which relate to the Civil Service Law, are repealed.

Sec. 7. R. S., c. 37-A, § 12, repealed and replaced. Section 12 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is repealed and the following enacted in place thereof:

'Sec. 12. Coastal wardens; appointment; tenure; code of operation; compensation; fees; limitations. The following provisions apply to coastal wardens:

I. Appointment. Coastal wardens are appointed by the commissioner.

A. Any person appointed a coastal warden shall first qualify under the written code of operation prepared by the commissioner, and approved by the State Personnel Board appointed under chapter 63.

II. Hold office subject to the Personnel Law. They shall hold office under chapter 63.

III. Compensation. Their compensation is determined under the Personnel Law.

IV. Written code of operation. The commissioner shall prepare a written code covering the operating procedure of the coastal warden service which shall be effective when approved by the State Personnel Board.

V. Fees. Except before trial justice and municipal courts, they shall be allowed the same fees as sheriffs and their deputies for like service.

A. All fees allowed are to be paid to the commissioner for use of the State.

VI. May not hold certain offices. They may not hold any other state, county or municipal office for which they receive compensation.'

Sec. 8. R. S., c. 63, § 11, sub-§§ VIII, X and XI, repealed. Subsection VIII, X and XI of section 11 of chapter 63 of the Revised Statutes are repealed, as follows:

'VIII. Commissioned officers, noncommissioned officers and patrolmen of the State Police, provided that the chief may avail himself of the facilities of the personnel board in the examination of applicants for the position of police officer. The appointment, training, promotion, supervision, dismissal and administration of the state police shall continue to be governed by the provisions of chapter 15.'

'X. Wardens of the department of inland fisheries and game, except that the compensation of such wardens shall be determined under the provisions of this chapter.

XI. Wardens of the department of sea and shore fisheries, except that the compensation of such wardens shall be determined under the provisions of this chapter.'