

# MAINE STATE LEGISLATURE

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

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Legislative Document

No. 1024

H. P. 916

House of Representatives, February 24, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Albert of Augusta.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-FIVE

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

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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, ~~2 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 ~~2 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** 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 ~~24~~ 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.'