

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 787

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

An Act to establish a Board of Police for the City of
Waterville.

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

Section 1. The municipal officers of the city of Water-
2 ville shall, in the month of July, 1909, elect by ballot three
3 citizens of said city of Waterville, who shall have been
4 residents of this State and said city for at least two years
5 immediately preceding the date of their appointment; who
6 shall constitute a board of police for said city, and who
7 shall be sworn before entering upon the duties of their
8 office. The chairman shall be designated by said board
9 annually at the first meeting to be held on the first Monday

10 in July to act for one year, and two members present at
11 any meeting shall constitute a quorum. The term of office
12 of the members appointed by the municipal officers shall
13 be one, two and three years respectively, as may be desig-
14 nated at the time of their appointment. Thereafter, one
15 member shall be elected by ballot annually as aforesaid,
16 to serve for a term of three years unless sooner removed
17 by vote of the municipal officers for cause, or when elected
18 to fill an unexpired term; provided, however, that not more
19 than two of the members of the board shall at any time be
20 members of the same political party, and they shall be
21 selected from the two parties polling the highest number
22 of votes at the last municipal election. All vacancies oc-
23 ccurring after the passage of this act shall be filled by the
24 municipal officers of said city of Waterville from the same
25 political party. The board shall annually appoint one of
26 their members to act as clerk, who shall be sworn to keep
27 a record of all proceedings.

Sect. 2. Said board of police of the city of Waterville
2 shall have authority to appoint, establish and organize the
3 police force of said city, and to remove any member of the
4 same for cause. The marshal and deputy marshal shall
5 be appointed from said force. All powers now vested in
6 the mayor, board of aldermen and common council by the
7 city charter, ordinances, by-laws and regulations of the said
8 city for the government of its said police, are hereby con-
9 ferred upon and vested in said board of police.

Sect. 3. The present rules and regulations of the mayor
2 and board of aldermen for the government of the police
3 shall continue in force until otherwise ordered by said board
4 of police. All police officers appointed by said board of
5 police, hereby created, shall have and exercise within the
6 limits of said city all the common law and statutory powers
7 of constables, except services of civil processes, and all the
8 powers given to police officers by the statutes of the State
9 and the city charter, ordinances, by-laws and regulations
10 of said city.

Sect. 4. The chairman shall be the executive of the board.
2 All communications to the police department or to any
3 member thereof shall be made through him, and all notices,
4 papers and orders of said board shall be issued by him, or
5 by the clerk of said board by his direction, and shall be
6 attested by him as executive of said board.

Sect. 5. The salaries of the members of the board ap-
2 pointed by the municipal officers shall be voted annually by
3 the city council of said city and paid monthly from the
4 treasury thereof, but the salary of any member of the board
5 shall not be diminished during the term of his appointment.
6 Said board of police shall be provided with such rooms
7 as shall be convenient and suitable accommodations for the
8 police of said city as said board shall require. All rooms
9 in all buildings and all property used by said police shall
10 be under the control of said board of police. All expenses
11 for the maintenance of said rooms, the pay of the police,

12 and all incidental expenses incurred in the administration
13 of said police shall be paid by said city after having the
14 approval of said board. The compensation of the police in
15 said city shall not be diminished below the amount paid said
16 police for and during the year nineteen hundred and eight,
17 without the consent of said board of police.

Sect. 6. Said board of police shall have the same author-
2 ity now vested in the appointing power, of appointing from
3 time to time special officers for special services, and for such
4 a period of time, not exceeding one year, as they shall
5 see fit.

Sect. 7. Said board of police shall make a report of its
2 doings annually to the municipal officers of said city on
3 the tenth day of February for the municipal year last past.
4 The records of said board of police shall be at all times
5 open to the inspection of the city council, or to such persons
6 as may be designated by them.

Sect. 8. No person shall be appointed a permanent mem-
2 ber of the department without a trial of not less than six
3 months, unless such person is at present a member, or has
4 served that time in the department. When a person re-
5 ceives a permanent appointment he shall not be removed
6 by said board, unless for inefficiency or other causes detri-
7 mental to the department. No discrimination shall be made
8 on account of a person's political opinion, nor shall the
9 board of police take into account the politics of applicants
10 for trial or permanent places.

Sect. 9. The board shall proceed to reorganize the department according to the spirit of this act. No member of the present department shall be considered a permanent member, until appointed by the board, which must be done within one year after the organization of said board. The board may make such rules and regulations for the government and efficiency of the department as they may deem advisable and which shall not be inconsistent with the laws of the State and ordinances of the city.

Sect. 10. All acts and parts of acts, public and private, inconsistent with this act, are hereby repealed.

Sect. 11. This act shall not take effect until it has been adopted by the legal voters of the city of Waterville at a general election, or at a special election called for that purpose.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 25, 1909.

Reported by Mr. DAVIES from Committee on Judiciary
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk*