

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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**SEVENTY-SEVENTH LEGISLATURE**

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**HOUSE**

**NO. 945**

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*House of Representatives, March 25, 1915.*

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

*C. C. HARVEY, Clerk.*

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**STATE OF MAINE**

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

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AN ACT to amend the Charter of the City of Lewiston and  
to provide for a Police Commission.

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

Section 1. The police department of the city of Lewiston  
2 shall consist of a chief of police, two sergeants, twenty-eight  
3 patrolmen, and a Board of Police Commissioners of three  
4 members.

Sect. 2. Said Board of Police Commissioners shall in the  
2 first instance be appointed by the Governor with the advice  
3 and consent of his Council, one member to serve until the  
4 third Monday of March, 1916, one member to serve until

5 the third Monday of March, 1917, and one member to  
6 serve until the third Monday of March, 1918, and in mak-  
7 ing said appointment the governor shall designate the term  
8 of service of said members. The full term of office of the  
9 members of said board after the expiration of the term of  
10 those appointed by the Governor as hereinbefore provided,  
11 shall be three years. All vacancies occurring after the  
12 passage of this act, whether through expiration of term,  
13 death, resignation or otherwise, shall be filled by the city  
14 council of Lewiston in joint convention held for that pur-  
15 pose, by written ballot.

Any duly qualified voter of said city shall be eligible for  
17 said office, provided, however, no more than two members  
18 shall be of the same political party. The election of a mem-  
19 ber of said board shall be held annually on the third Mon-  
20 day of March, or as soon thereafter as may be. No mem-  
21 ber of the board shall hold any other municipal, county or  
22 state office except that of justice of the peace or notary pub-  
23 lic. The board shall annually appoint one of their number  
24 to act as clerk, who shall keep a record of all proceedings,  
25 issue all notices and attest all such papers and orders as  
26 the board shall direct.

Sect. 3. Each member of the board shall qualify after  
2 his appointment or election by being sworn by the City  
3 Clerk of Lewiston or by a Justice of the Peace, to the faith-  
4 ful discharge of his duties. In the event that a member  
5 qualifies before a Justice of the Peace, a certificate thereof

6 shall be forthwith filed with the City Clerk by said Justice  
7 of the Peace.

Sect. 4. The Board of Police Commissioners hereby cre-  
2 ated shall have full power and authority to organize and  
3 establish the police force of the City of Lewiston, and to  
4 make all rules and regulations for the government, control  
5 and efficiency of the same. Said board shall have and exer-  
6 cise all the powers and be charged with all the duties rela-  
7 tive to the organization, appointment and control of said  
8 police force now conferred or imposed upon the mayor,  
9 the municipal officers or the city council of Lewiston, and  
10 such other powers as are to them given by the terms of this  
11 act.

Sect. 5. When said Board of Commissioners shall have  
2 qualified as hereinbefore provided, they shall forthwith  
3 choose by written ballot a chief of police of the City of  
4 Lewiston. Said commissioner, and each of his successors  
5 in office, shall be chosen for a term of five years from the  
6 date of his election. Said commissioner shall have and  
7 exercise all the powers and authority now given to the city  
8 marshal by the charter and ordinances of Lewiston, and by  
9 the general statutes of the state, and such special power and  
10 authority as may from time to time be delegated to him by  
11 the Board of Commissioners. Said chief of police shall  
12 have power to appoint from time to time special patrolmen  
13 for special duty, but such special patrolmen shall not be ap-

14 pointed for a longer period than ten days without authority.  
15 from the Board of Police Commissioners.

Sect. 6. Said Board of Commissioners, after they shall  
2 have qualified, shall also elect forthwith, by written ballot,  
3 two sergeants from among the patrolmen herein provided  
4 for. Said sergeants shall be elected for a term of three  
5 years from the date of their election. They shall have and  
6 exercise such powers and authority as may be determined  
7 by the Board of Police Commissioners.

Sect. 7. Every policeman of the City of Lewiston, at the  
2 time this act takes effect, shall become a patrolman under  
3 the provisions hereof, and shall serve until he shall arrive  
4 at the age of 65 years, unless sooner removed, as herein-  
5 after provided. When he shall have arrived at the age of  
6 65 years, such patrolman shall be retired on half pay. All  
7 members of the force, including the chief of police and ser-  
8 geants, may be fined, suspended or removed by said Board  
9 of Commissioners for cause at any time. Before removal,  
10 however, the officer shall be advised in writing of the charges  
11 against him and shall be given a public hearing. He shall  
12 have the right to be represented by counsel and to produce  
13 testimony in his behalf at such hearing. The judgment of  
14 the Board of Commissioners in the absence of fraud shall  
15 be final.

Sect. 8. The Board of Police Commissioners shall fill all  
2 vacancies happening in the force of patrolmen, and shall ap-  
3 point additional patrolmen whenever a larger number shall

4. be authorized by the Board of Mayor and Aldermen. They  
5 shall prescribe suitable physical and educational tests and  
6 shall appoint to the force only men of good moral character  
7 who shall have shown themselves physically and mentally  
8 qualified for the position. Said appointment shall be made  
9 from the list of applicants for the position.

Sect. 9. Any citizen of Lewiston between the ages of 24  
2 and 40 shall be eligible to appointment to the position of  
3 patrolman, provided he shall make written application to  
4 the Board of Police Commissioners, and shall satisfactorily  
5 pass such examinations as the board shall prescribe.

Sect. 10. The Board of Commissioners shall receive a fee  
2 of \$2.00 each for the examination of each applicant, to be  
3 paid by the applicant at the time he files his written appli-  
4 cation, and said applicant shall also pay for such medical or  
5 physical examination as may be required by the board.

Sect. 11. All patrolmen shall have and exercise, within  
2 the limits of the city, all the common law and statutory  
3 powers of constables, except service of civil process, and all  
4 the powers given to police officers by the statutes of the  
5 state, and the city charter, ordinances, by-laws and regula-  
6 tions of said city, and such special powers as may be con-  
7 ferred by the Board of Commissioners.

Sect. 12. The salary of the chief of police shall be fifteen  
2 hundred dollars per annum, and that of the sergeants twelve  
3 hundred dollars per annum. The foregoing salaries shall  
4 be paid in equal weekly instalments by the city treasurer.

5 The salary of patrolmen shall be two dollars and seventy-  
6 five cents (\$2.75) per day, payable in equal weekly instal-  
7 ments by the city treasurer. Special patrolmen shall be paid  
8 two dollars and twenty-five cents (\$2.25) per day while on  
9 duty, to be paid by the City Treasurer on the approval of  
10 the commissioner and Board of Commissioners.

Sect. 13. Such parts of the charter of the City of Lewis-  
2 ton, of Chapter 293 of the Private and Special Laws of  
3 Maine, 1880, and of all other acts, as are inconsistent with  
4 this act, are hereby repealed.