

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-EIGHTH LEGISLATURE

---

---

HOUSE

NO. 152

---

---

*House of Representatives, Feb. 7, 1917.*

*Referred to Committee on Legal Affairs and fifteen hundred copies ordered printed. Sent up for concurrence.*

*W. R. ROIX, Clerk.*

*Presented by Mr. Hart of Holden.*

---

---

STATE OF MAINE

---

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

---

AN ACT to provide a police commission for the appointment of the police force, and a chief of police and inspector for the administration of the police force of Bangor, Maine.

---

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

Section 1. The police department of the city of Bangor shall consist of three police commissioners, a chief of police, one inspector, two captains and thirty patrolmen.

Section 2.—Clause 1. The police commission shall consist of three resident citizens of Bangor. One shall be appointed for three years, one for two years and one for one year, and one each year thereafter for a term of three years. The

5 commissioners shall be appointed and all vacancies on the  
6 commission shall be filled by appointment of the Governor of  
7 the State of Maine. Members of the commission shall  
8 always be from the two political parties polling the largest  
9 number of votes in said Bangor in the last preceding state  
10 election.

Clause 2. It shall be the duty of the police commission to  
2 appoint patrolmen to serve during good behavior, as herein-  
3 after provided, after applicants shall have passed a satis-  
4 factory test as to physical and such other qualifications as  
5 said police commission shall deem sufficient and advisable.

Clause 3. Qualification tests shall be held at the con-  
2 venience of the police commission upon receiving application  
3 from the candidates (blanks for which shall be furnished by  
4 the police commission) when vacancies shall occur among  
5 patrolmen or an increase in the number of patrolmen shall be  
6 ordered. Physical examination shall be at the convenience  
7 of a physician appointed by the police commission for that  
8 purpose and the fee for such examination shall be paid in  
9 advance by the applicant.

Clause 4. The police commissioners shall receive each the  
2 sum of five dollars for each meeting which they shall attend,  
3 payable by the city treasurer. The police commission shall  
4 assemble at the call of the chairman of the board and said  
5 chairman shall be elected by the police commissioners  
6 annually.

Clause 5. The successful applicants for the position of

2 patrolman, shall in all cases, be those who have shown by  
3 their physical and qualification tests and reputable character  
4 to be best fitted for the position.

Clause 6. Patrolmen, when guilty of unbecoming conduct,  
2 shall be punished by fine, not exceeding one hundred dollars  
3 (\$100.00) or by suspension, without pay for a period not  
4 exceeding thirty days, for each offence, or by removal, on  
5 complaint of the chief of police to the police commissioners,  
6 or upon written complaint signed by any ten citizens of  
7 Bangor, except that the chief of police may suspend any  
8 patrolman for unbecoming conduct or neglect of duty for a  
9 period not exceeding seven days without preferring charges  
10 to the police commissioners, for each offence. In all cases  
11 patrolmen when notified of such punishment shall be entitled  
12 at that time to demand a public hearing and he shall receive  
13 such public hearing, before the police commissioners, at such  
14 time and place as the police commissioners shall designate  
15 and their findings in all such cases shall be final. When fines  
16 shall have been imposed such fines shall be paid to the city  
17 treasurer and the patrolman so fined shall stand suspended  
18 without pay until the order shall have been complied with  
19 and the fine shall have been paid.

Sect. 3.—Clause 1. The chief of police shall be appointed  
2 by the commission herein created and shall hold office for the  
3 term of five years or until his successor shall have been ap-  
4 pointed and shall have qualified.

Clause 2. Any citizen of Bangor, who shall have resided

2 therein for a period not less than five consecutive years im-  
3 mediately preceeding his appointment and who shall be of  
4 good character and standing in the community shall be  
5 eligible for the office of chief of police.

Clause 3. The salary of the chief of police shall be fifteen  
2 hundred dollars per annum, payable in equal monthly instal-  
3 ments by the city treasurer. The chief of police shall be  
4 entitled to a vacation of two weeks each calendar year with  
5 pay the same to be taken when and as he may desire. While  
6 upon such vacation or when absent or incapacitated through  
7 illness, said absence being occasioned by reason of business  
8 of the department, the duties of his office shall be assumed by  
9 the senior captain.

Clause 4. The chief of police shall be removed only by the  
2 police commission by a majority vote for neglect of duty,  
3 unbecoming conduct, incapacity or other sufficient causes  
4 upon written charges being preferred against him to the  
5 police commission by at least ten citizens of said Bangor, for  
6 neglect of duty, unbecoming conduct, incapacity or other  
7 sufficient causes. The chief of police shall be entitled to a  
8 public hearing, if he desires it, in the event of his removal or  
9 dismissal being asked for, and the findings of the police com-  
10 mission shall be final and not subject to appeal. If removal  
11 shall be the finding, said chief of police shall be ineligible  
12 for the office in the future; all persons qualifying for chief  
13 of police under this Act shall accept the office subject to all  
14 conditions and limitations set forth in this act.

Clause 5. In the event of the chief of police being re-  
2 moved as herein set forth the senior captain shall assume the  
3 duties of chief of police until a new chief of police shall  
4 have been appointed and qualified as provided for in this  
5 Act.

Clause 6. In the event of the office of chief of police be-  
2 coming vacant either by reason of death or removal the  
3 police commission shall as soon as convenient, with a view  
4 to the good of the department, proceed to the appointment of  
5 a chief of police as herein provided and the new appointment  
6 shall be for a full term of five years.

Clause 7. The chief of police shall qualify by taking oath  
2 before the police commission, such oath of office to be pre-  
3 scribed by the police commissioners in such form as they  
4 deem advisable.

Sect. 4.—Clause 1. Two captains and one inspector shall  
2 be appointed by the chief of police from the patrolmen who  
3 have been appointed as herein provided and the duties of the  
4 captains and inspector shall be defined by the chief of  
5 police and said duties as well as the appointment shall be  
6 subject to the approval of the police commissioners.

Clause 2. Police captains and inspector shall each receive  
2 a salary of twelve hundred dollars per year payable in equal  
3 monthly instalments by the city treasurer and each shall be  
4 entitled to a vacation of two weeks each calendar year, with  
5 pay, such vacation period to be prescribed by the chief of  
6 police.

Clause 3. Police captains and inspector shall be subject to  
2 the rules of conduct and punishment as are patrolmen.

Sect. 5.—Clause 1.—Any resident citizen of Bangor be-  
2 tween the ages of 24 and 35 years shall be eligible for the  
3 positions of patrolman, with the exception of those acting as  
4 patrolmen at the time this act shall become a law, all of  
5 whom shall be eligible to appointment as patrolmen if in the  
6 opinion of the police commission by majority vote he should  
7 be so appointed. In the event of an appointment of a  
8 patrolman from patrolmen serving when this act becomes a  
9 law those so appointed shall not be subject to the physical  
10 examination as herein provided.

Clause 2. The duties of a patrolman shall be prescribed  
2 by the chief of police in so far as possible subject to the  
3 approval of the police commission and each patrolman shall  
4 be given a book of rules defining his duties, said book of  
5 rules to be provided by the chief of police at the expense of  
6 the city, the same to be approved by a justice of the  
6 Supreme Judicial Court.

Clause 3. The salary of a patrolman shall be one thousand  
2 dollars per year, until he shall have served five consecutive  
3 years when the salary shall be eleven hundred dollars payable  
4 in weekly instalments by the city treasurer. Each patrolman  
5 shall be entitled to a vacation each calendar year of two  
6 weeks, with pay, the vacation period to be designated by the  
7 chief of police.

Clause 4. Each patrolman shall be appointed to serve until

2 he shall have arrived at the age of sixty-five years when he  
3 shall be retired unless previously removed on account of ill-  
4 ness or neglect of duty as provided in this Act and in the  
5 event of retirement such patrolman shall be subject to the  
6 provisions of the Bangor police pension act now in force.

Sect. 6.—Clause 1. Special patrolman with pay may be  
2 appointed by the chief of police from a list furnished him by  
3 the police commission, for a period not exceeding thirty  
4 days; and such special patrolman shall receive as pay the  
5 sum of two dollars and fifty cents per day to be paid by the  
6 city treasurer, upon approval of the chief of police.

Clause 2. Special patrolmen without pay may be ap-  
2 pointed by the chief of police to serve for one year from date  
3 of appointment for private duty.

Clause 3. When an increase, or decrease, in the number of  
2 patrolmen shall be deemed desirable, the matter shall be  
3 determined by the police commission, only upon recommen-  
4 dation of the chief of police.

Sect. 7. No person holding office authorized by this Act  
2 shall hold any other public office in said Bangor to which  
3 any salary is attached.

Sect. 8. All Acts or parts of Acts inconsistent with this  
2 Act and especially Chapter 369 of the Private and Special  
3 Laws of 1889 entitled an "Act regulating the appointment of  
4 the members of the police force of the city of Bangor" and  
5 especially Chapter 193 of the Private and Special Laws of  
6 1911 are hereby repealed. If any part of this Act shall be



7 decided by the courts to be unconstitutional or invalid the  
8 same shall not effect the validity of the Act as a whole or  
9 any part thereof which can be given effect without the part  
10 so decided to be unconstitutional or invalid.

Sect. 9. This Act shall take effect when approved.