

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 270

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*House of Representatives, Feb. 13, 1917.*

*Referred to Committee on Judiciary and five hundred copies ordered printed. Sent up for concurrence.*

*W. R. ROIX, Clerk.*

*Presented by Mr. Gannett of Augusta.*

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STATE OF MAINE

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

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AN ACT to Amend the Charter of the City of Augusta relative  
to Police.

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

Section 1. Section four of chapter two hundred and five  
2 of the private laws of nineteen hundred and fifteen of the  
3 State of Maine, hereby is amended so as to read as follows:

‘Sect. 4. The mayor shall appoint all city officers except  
2 those that are required by law to be elected by the qualified  
3 electors of said city or of the several wards in said city.  
4 The appointments shall be made and take effect as soon as

5 convenient after the beginning of the mayor's term of office,  
6 and the officers appointed shall hold their offices during the  
7 term for which the mayor was elected; except that the com-  
8 missioner of streets and the overseer of the poor shall be  
9 appointed triennially to hold office for the term of three  
10 years, and one assessor shall be appointed each year to hold  
11 office for the term of three years. Appointed city officers  
12 may be removed from office by the mayor for cause, other-  
13 wise they shall serve through their respective terms afore-  
14 said and until their successors are appointed and qualified  
15 in their places. The mayor shall exercise the same power  
16 of appointment to fill a vacancy in any appointive city office,  
17 but the person appointed to fill a vacancy due to any cause  
18 other than expiration of the term of office shall hold office  
19 during the unexpired term of his predecessor.

The police force shall consist of one chief, to be styled  
2 the city marshal, and one deputy marshal, and as many  
3 police officers as the city council may from time to time  
4 adjudge necessary; such police officers, except marshal and  
5 deputy marshal and policemen who may be appointed for  
6 special occasions, to hold office until reaching the age of  
7 sixty years or during good behavior, to be designated as  
8 regular police, and to be appointed by the mayor upon  
9 recommendation of a committee or board of three to be  
10 known as the board of police examiners, and said committee  
11 or board shall be appointed by the mayor and shall serve  
12 without pay. One member at least of said committee or

13 board shall be a physician. The duty of this committee  
14 shall be to examine all applicants for the position of reg-  
15 ular police and the applicant who has passed the highest  
16 examination during the preceding three years shall be the  
17 eligible candidate to be appointed by the mayor. If for  
18 any reason, a candidate passing the highest examination is  
19 not appointed by the mayor, or withdraws, then the candi-  
20 dates shall be presented for appointment by the mayor in  
21 the order of their standing when passing the examination.

The tenure of office of the members of this committee or  
2 board shall be three years, one member to be appointed  
3 each year, except that the members appointed upon this  
4 committee or board during the year nineteen hundred and  
5 eighteen shall by lot decide the tenure of their office, one  
6 retiring each year. The said committee or board to have  
7 power to make suitable rules for its own government.

If, for any just cause the mayor deems any officer ap-  
2 pointed under this act unsatisfactory or incompetent, he  
3 may order him to appear before said examining board, and  
4 shall prefer written charges against him, which charges shall  
5 be heard by said board; at said hearing any citizen of Au-  
6 gusta may appear and be heard, and said board shall decide  
7 whether said charges have been sustained or not, and if  
8 sustained the mayor may remove such officer, and appoint  
9 another in his stead under the provisions of this act.

At least twenty-four hours before any such hearing the  
2 committee shall cause the officer against whom charges have

3 been filed to be notified of the time and place of hearing  
4 upon same, by causing a copy of said written charges to be  
5 served upon said officer and said officer may appear and  
6 be heard in person, or by counsel. Said board or any mem-  
7 ber thereof shall have the power to summon witnesses and  
8 administer oaths in any matter pending before said board.

This act shall in no wise be held to affect the status of  
2 the present members of the police force of the city of Au-  
3 gusta, and shall in no wise affect the length of their term  
4 of service.'

Sect. 2. This act to take effect January first, nineteen  
2 hundred and eighteen, if accepted by a majority vote of  
3 the citizens of the city of Augusta, voting at any regular  
4 or special election before January first, nineteen hundred  
5 and eighteen.