

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 4

House of Representatives, Jan. 22, 1923.

Mr. Holmes of Committee on Legal Affairs reported bill for printing. Printing ordered and bill recommitted to Committee on Legal Affairs.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Holmes of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Chapter Thirty-seven of the Private and
Special Laws of 1917, Relating to a Police Commission for
the City of Lewiston.

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

Section 1. Section one of chapter thirty-seven of the
2 Private and Special Laws of 1917 is hereby amended by
3 striking out the words "thirty-one patrolmen" in the third
4 line thereof and substituting therefore the words 'such num-
5 ber of patrolmen as said board of police commissioners shall
6 deem necessary.' So that said section as amended shall read
7 as follows:

‘Sect. 1. BOARD OF POLICE COMMISSIONERS
2 CREATED. The police department of the city of Lewis-
3 ton shall consist of a board of police commissioners of three
4 members, a chief of police, and such number of patrolmen
5 as said board of commissioners shall deem necessary, two
6 of whom shall be designated as captains, and a police
7 matron.’

Sect. 2. Section two of said chapter thirty-seven is here-
2 by amended by striking out all of said section after the first
3 sentence thereof, and substituting in place thereof the words,
4 ‘The commissioners shall be elected by the city council of
5 Lewiston by majority vote thereof. In the first instance,
6 at the first meeting of the city council following the inau-
7 guration of the city council one commissioner shall be elected
8 for six years, one for four years, and one for two years.
9 At the expiration of each of said terms, a commissioner
10 shall be elected for a full term of six years. In case of any
11 vacancy in the commission, the city council shall elect a
12 member thereto for the balance of said unexpired term.’
13 So that said section as amended shall read as follows:

‘Sect. 2. COMMISSION. COMPOSITION. ELEC-
2 TION. TENURE. VACANCIES. Said board of police
3 commissioners shall consist of three resident citizens of
4 Lewiston. The commissioners shall be elected by the city
5 council of Lewiston by majority vote thereof. In the first
6 instance, at the first meeting of the city council following
7 the inauguration of the city council one commissioner shall

8 be elected for six years, one for four years, and one for
9 two years. At the expiration of each of said terms, a com-
10 missioner shall be elected for a full term of six years. In
11 case of any vacancy in the commission, the city council
12 shall elect a member thereto for the balance of said unex-
13 pired term.'

Sect. 3. Section five of said chapter thirty-seven is here-
2 by amended by striking out the words "thirty-one patrol-
3 men" and substituting therefor the words 'such number of
4 patrolmen as said board shall deem necessary.' So that said
5 section as amended shall read as follows:

'Sect. 5. ORGANIZATION OF COMMISSION AND
2 OF DEPARTMENT. When said board of commissioners
3 shall have qualified, they shall meet and elect a chairman
4 and a clerk, and shall forthwith organize and establish the
5 police force as herein authorized. They shall forthwith
6 choose in the manner hereinafter provided, the chief of po-
7 lice, and such number of patrolmen as said board shall
8 deem necessary, two of whom shall be designated as cap-
9 tains, and said police matron, and all of whom with said
10 board of commissioners, shall constitute the police depart-
11 ment of the city of Lewiston.'

Sect. 4. Section ten of chapter thirty-seven of the Pri-
2 vate and Special Laws of 1917 as amended by section two
3 of chapter seventeen of the Private and Special Laws of
4 1919, as further amended by section three of chapter one
5 hundred and twenty-four of the Private and Special Laws
6 of the special session of 1919, as further amended by sec-

7 tion two of chapter ninety-five of the Private and Special
8 Laws of 1921, is hereby amended by striking out the words
9 and figures "four dollars (\$4.00) per day" in the fourth
10 line thereof and substituting therefor the words 'such sum
11 per day as the board shall determine,' and by striking out
12 in the tenth line the words and figures "one hundred and
13 fifty dollars (\$150) per month" and substituting therefor
14 the words 'such sum per month as the board shall deter-
15 mine,' and by adding to said section ten the following words,
16 'the chief of police, the police captains, and patrolmen shall
17 receive such salary as the board shall determine.' So that
18 said section as amended shall read as follows:

'Sect. 10. COMPENSATION. Special patrolmen (with
2 pay) shall be appointed by the chief of police from a list
3 furnished him by the police commission, for a period of
4 from one to thirty days; and such special patrolmen shall
5 receive a salary of such sum per day as the board shall
6 determine, to be paid by the city treasurer upon approval
7 by the chief of police. Special patrolmen (without pay)
8 may be appointed by the chief of police for a period not
9 more than one year for private duty. The board of com-
10 missioners shall have power and authority to appoint from
11 time to time not more than two inspectors at one and the
12 same time, who shall receive a compensation of such sum
13 per month as the board shall determine, while so employed,
14 payable weekly, by the city treasurer, with such duties as
15 shall be determined by the board of commissioners. The

16 chief of police, the police captains, and patrolmen shall re-
17 ceive such salary as the board shall determine.'

Sect. 5. Section eleven of chapter thirty-seven of the Pri-
2 vate and Special Laws of 1917, as amended by section three
3 of chapter seventeen of the Private and Special Laws of
4 1919, as further amended by section three of chapter ninety-
5 five of the Private and Special Laws of 1919, is hereby
6 amended by striking out the words and figures "one thou-
7 sand dollars (\$1,000) per annum" in the fourth line there-
8 of, and substituting therefor the words 'such salary as shall
9 be determined by the board,' so that the said section, as
10 amended, shall read as follows:

'Sect. 11. POLICE MATRON; COMPENSATION;
2 POWERS AND DUTIES. A police matron shall be ap-
3 pointed by said board of commissioners for a term of two
4 years with such duties and powers as may be delegated by
5 said board of police commissioners. The salary of said
6 police matron shall be such salary as shall be determined
7 by the board, payable by the city treasurer.'

Sect. 6. Section fifteen of said chapter thirty-seven of
2 the Private and Special Laws of 1917, as amended by sec-
3 tion five of chapter seventeen of the Private and Special
4 Laws of 1919, and section sixteen of said chapter thirty-
5 seven, as amended by section six of the Private and Spe-
6 cial Laws of 1919, and section seventeen of said chapter
7 thirty-seven, as amended by section seven of the Private
8 and Special Laws of 1919, and further amended by section

9 four of chapter one hundred and twenty-four of the Pri-
10 vate and Special Laws of the special session of 1919, are
11 hereby repealed.

Sect. 7. Section nineteen of chapter seventeen of the Pri-
2 vate and Special Laws of 1919 is hereby amended by strik-
3 ing out the words in the second line thereof, "from cases
4 in the Lewiston Municipal Court," so that said section, as
5 amended, shall read as follows:

'Sect. 19. FEES TO BE ACCOUNTED FOR. All fees
2 paid to the chief of police, captains or any patrolman in
3 their said capacities, shall be accounted for by such officers,
4 and turned into the treasury of the city of Lewiston when
5 received by them.'

Sect. 8. Section twenty of chapter thirty-seven of the
2 Private and Special Laws of 1917 is hereby repealed.

Sect. 9. REFERENDUM PROVISION. This act shall
2 be submitted for approval or rejection to the qualified voters
3 of the city of Lewiston at an election to be held the second
4 Monday in September in the year 1923, and warrant shall
5 be issued for such election in the manner now provided by
6 law for the holding of municipal elections, notifying and
7 warning the qualified voters of such city to meet in the
8 several ward meetings of the said city, there to cast their
9 ballot for the approval or rejection of this act. The ques-
10 tion proposed on said ballots shall be substantially in the
11 following form:

"Shall an act passed by the legislature in the year 1923,
2 approved (insert date), entitled 'An Act relating to the

3 police commission of Lewiston, requiring said commission
4 to be elected by the city council of Lewiston, be accepted?"

Otherwise said ballots shall be in form provided by law
2 when a constitutional amendment is submitted to the vote
3 of the people. The provisions of law relating to the prepa-
4 ration of voting lists for municipal elections shall apply to
5 such election and said election shall in all other respects
6 be conducted as municipal elections in said city are now
7 conducted by law, and the results thereof shall be deter-
8 mined in the manner now provided by law, for the deter-
9 mination of the election of mayor. If a majority of the
10 ballots deposited as aforesaid shall reject, this act shall not
11 go into effect, but if a majority of the electors voting at
12 said ward meetings shall approve, then this act shall take
13 effect as herein provided.

Sect. 10. WHEN ACT SHALL TAKE EFFECT, IF
2 APPROVED BY PEOPLE. So much of this act as au-
3 thorizes the submission of the acceptance of this act to the
4 electors of the city of Lewiston shall take effect as pro-
5 vided in the constitution of the state, but it shall not take
6 further effect unless accepted by the electors of the city
7 of Lewiston as hereinbefore provided. If accepted by the
8 electors of the city, then this act shall take effect at the
9 expiration of the term of the present city council of the
10 city of Lewiston.