

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - THIRD LEGISLATURE

Senate Document

No. 266

S. P. 521

In Senate, March 22, 1927.

Reported by Senator Dwinal from Committee on Legal Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dwinal of Knox.

STATE OF MAINE

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

AN ACT to Establish a Board of Police of the City of
Waterville.

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

Section 1. (a) At any regular election which shall be
2 held in the city of Waterville after this act shall take effect,
3 or at any special election which may be called for the pur-
4 pose herein provided, there shall be elected by plurality vote
5 three citizens of said Waterville who shall constitute a board
6 of police of said city, and who shall be sworn before enter-
7 ing upon the duties of their office.

(b) All nominations shall be made and election held un-

2 der the laws which govern the nomination and election of
3 mayor in said city of Waterville.

(c) The said members of said board shall serve from the
2 time of their election and qualification for terms which shall
3 terminate two, four and six years, respectively, as shall be
4 designated at the time of their election, from the first day
5 of January next succeeding such election; thereafter, their
6 successors shall be elected for a term of six years each at
7 the annual election next preceding the expiration of the
8 term.

(d) Vacancies shall be temporarily filled by the municipi-
2 pal officers of said city; members so chosen shall hold office
3 until the first day of January following their election, and
4 at the next annual municipal election occurring after such
5 vacancy exists some citizen shall be elected to serve during
6 the remainder of the term.

(e) The board shall annually elect one of its number
2 chairman.

(f) The board shall annually appoint one of its number
2 clerk who shall be sworn and shall keep a record of all pro-
3 ceedings, issue all notices and attest all such papers and
4 orders as the board directs.

Sect. 2. (a) Said board of police of the city of Water-
2 ville shall have authority to appoint, establish and organize
3 the police force of said city, including the marshal and dep-
4 uty marshals, and to remove the same for cause and make

5 all needful rules and regulations for its government, con-
6 trol and efficiency.

(b) All the powers now vested in the mayor, board of
2 aldermen and common council or by the city charter, ordi-
3 nances, by-laws and regulations of the said city for the
4 government of its said police, except as may herein be other-
5 wise provided are hereby conferred upon and vested in said
6 board of police.

Sect. 3. (a) The members of the police force of said
2 city of Waterville in office when this act shall take effect
3 shall continue to hold their several offices until the mem-
4 bers of the police force appointed under this act shall have
5 qualified.

(b) The present rules and regulations of the mayor and
2 board of aldermen for the government of the police, shall
3 continue in force until otherwise ordered by said board of
4 police.

(c) All police officers appointed by said board of police,
2 hereby created, shall have and exercise within the limits of
3 said city all the common law and statutory powers of con-
4 stables, except service of civil process, and all the powers
5 given to police officers by the statutes of the state and the
6 city charter, ordinances, by-laws and regulations of said city.

Sect. 4. (a) Said board of police shall not appoint any
2 larger number of police officers than the present mayor or
3 board of mayor and aldermen, by the statutes of the state,
4 city charter, ordinances, by-laws and rules of said city are

5 now authorized to appoint, except as may be from time to
6 time authorized by said city.

(b) Said board shall have the same authority now vested
2 in the appointing power, of appointing from time to time,
3 special officers for special services.

Sect. 5. (a) The salaries of the members of said board
2 shall be voted annually by the municipal officers of said city
3 and paid quarterly from the treasury thereof, but the salary
4 of any member of said board shall not be diminished during
5 the term of his office.

(b) The said board of police shall be provided with such
2 rooms as shall be convenient and suitable for the perform-
3 ance of its duties by said city and at the expense of said
4 city.

(c) The said city shall provide all suitable accommoda-
2 tions for the police of said city as said board shall require.

(d) All rooms in all buildings and all property used by
2 said police, shall be under the control of said board of
3 police.

(e) All expenses for the maintenance of said rooms, the
2 pay of the police and all incidental expenses incurred in the
3 administration of said police, shall be paid by said city upon
4 the requisition of said board. But no such expenses shall
5 be paid by said city until the bills therefor shall have passed
6 through the regular channels of auditing and finance com-
7 mittees provided for by the officers of the city for the man-
8 agement of all its departments. When thus audited, ap-

9 proved and allowed, the mayor of said city shall draw his
10 warrant for the payment of such expenses.

Sect. 6. (a) The board of aldermen and councilmen
2 shall fix the salaries of the policemen, the deputies of the
3 city marshal and of the city marshal but in no instance shall
4 the salary paid to these officers be less than that paid to
5 officers of like grade during the year nineteen hundred fif-
6 teen without the consent of the board of police.

Sect. 7. (a) The said board of police shall make a re-
2 port of its doings annually to the city government at the
3 close of the fiscal year.

Sect. 8. (a) This act shall take effect and be in full
2 force when the same shall have been accepted by a majority
3 of the inhabitants of said city qualified to vote in legal af-
4 fairs, at a legal meeting called for that purpose. Provided
5 it shall be accepted before January first in the year of our
6 Lord one thousand nine hundred and thirty-two.

(b) If the majority of all the ballots received are in favor
2 of accepting the act, it shall then become a law and take
3 effect; and it shall be the duty of the clerk of said city to
4 transcribe a copy of the record of the vote of said city ac-
5 cepting this act into the records of the city, and such record
6 shall be conclusive evidence that this act has been accepted.

(c) A copy of the record of said vote accepting this act
2 shall be filed with the secretary of state.

(d) That the provisions hereof authorizing the calling
2 of a meeting or meetings for the purpose of voting upon the

3 acceptance of the act shall take effect as provided in the
4 constitution of the state.

Sect. 9. (a) All acts and parts of acts inconsistent with
2 this act and amendments hereto are hereby repealed from
3 and after the time when this act shall have been accepted
4 as aforesaid.