

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 607

S. P. 450

In Senate Feb. 17, 1931.

Referred to Committee on Legal Affairs. Sent down for concurrence. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Slocum of Cumberland.

STATE OF MAINE

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

AN ACT to amend Chapter 29 of the Revised Statutes relating to the State Police.

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

Section 122, Revised Statutes: State Police and members of force; appointment.

Amend Section 122 by striking out all of said section and replacing the following so that said section will read:

'Section 122. The governor, with advice and consent of the council shall appoint a chief of State Police to serve during good behavior, and shall determine the salary of said chief. He shall give a bond in the sum of five thousand dollars to the State, conditioned on the faithful performance of his duties. He shall be Chief Executive of the State Police and shall be responsible and accountable for the State Police force. The Chief may appoint an officer of the force as Deputy who shall whenever the Chief is absent or unable from any cause to perform his duties, perform the duties of the Chief during such absence or disability. The Chief of the State Police may enlist for a term of three years persons who have satisfactorily passed a physical and mental examination, physical examination based on the requirements of the United States Army. To be eligible for enlistment applicants must be citizens of the State of Maine, of good moral character and between the ages of 21 and 35

years; provided the aforesaid age limit shall not bar any present member from enlistment. Members shall be eligible for re-enlistment, unless removed for cause. Members may be removed for cause after hearing, upon written notice of the charges. Before entering upon the duties of their offices, the chief and members of the State Police shall take and subscribe to the oaths required by the constitution and laws of the State of Maine to qualify them to enter upon the discharge of their official duties. The Chief and members of the State Police shall not engage in any political activity of any nature, except the exercise of their personal right of suffrage.'

Sec. 124. Uniform and Equipment when worn.

Amend Section 124 of the Revised Statutes by striking out all of said section and inserting the following so that said section shall read:

'Section 124. The members of the State Police shall be provided, at the expense of the State, with a distinctive uniform and badge and suitable equipment for the performance of their official duties, all of which shall remain the property of the State. Members of the State Police shall be in uniform when on duty to enforce the laws and at other times, except when otherwise ordered by the Chief or a superior officer. In case any member shall be assigned to any special duty he shall at all times be subject to the orders and control of the chief.'

Amend Section 125 by striking out all of said Section.

Sec. 126. Regulation salary and Compensation.

Amend Section 126 of the Revised Statutes by striking out all of said section and inserting in place the following so that said section shall read:

'Section 126. No member of the State Police shall receive any fee as a complainant or witness, or for making an arrest or for attendance at court, but shall be reimbursed by the state for his actual costs of arrest and actual expenses of travel and attendance. In civil cases where a member of the State Police is called to give testimony acquired in the performance of his official duties, the legal fees and costs of such attendance shall be assessed and paid by the court to the Chief of the State Police and by him deposited with the Treasurer of the State to the credit of the Highway fund. Whenever any fines or penalties are imposed by any court in any proceeding in which a member

of the State Police is a complainant or a witness, said court shall tax costs for such complainant or witness in the usual manner and the court shall transmit the same forthwith to the Chief of the State Police for deposit with the Treasurer of State and credited to the Highway fund.

The Chief of the State Police shall formulate rules and regulations for the administration of the force and regulations fixing the amount of salaries to be paid members under the provisions of this act and when approved by the Governor and Council they shall have the full force and effect of law.'

Sec. 127. Maintenance of State Police provided for.

Amend Section 127 of the Revised Statutes by striking out all of said section and inserting in place thereof the following so that said section as amended shall read:

'Section 127. Payment for the expense of maintenance of the State Police shall be made in the following ration, one quarter from general taxation and three quarters as heretofore provided.'

Sec. 134. Acts inconsistent repealed. 'All acts or parts of acts inconsistent herewith are hereby repealed.'