

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 751

H. P. 1170 House of Representatives, Feb. 24, 1931.

By unanimous consent, referred to Committees on Legal Affairs and Inland Fisheries and Game, jointly, and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. MacKinnon of Mexico.

STATE OF MAINE

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

AN ACT Requiring Civil Service Examinations for all
Wardens and Hatchery Employees in Permanent Service
with the Department of Inland Fisheries and Game.

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

Section 1. Civil service commission provided for. A subcommittee of three members of the advisory council of the department of inland fisheries and game, to be chosen by a vote of that body, is hereby constituted a civil service commission for the purpose of drawing up and putting into effect a code for civil service examinations for permanent employees of the department of inland fisheries and game in the game warden service and in the fish hatchery service, and is hereby authorized so to do. Such code shall not become effective until approved by the commissioner of inland fisheries and game.

Sec. 2. Rules to be promulgated. Said civil service commission shall prepare suitable rules for carrying into effect the provisions of this act, and when said rules shall have been promulgated and approved by the commissioner of inland fisheries and game, it shall be the duty of the commissioner, the deputy commissioner, warden supervisors, and all chief wardens to aid, in all proper ways, in enforcing and complying with said rules, and any modifications thereof.

Sec. 3. Rules; examinations; probationary employment; intoxicating liquors; age limit. Said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

(1) That open, competitive examinations for testing the fitness of applicants for the game warden service and the fish hatchery service shall be given. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

(2) That all new permanent employments in the game warden service or in the fish hatchery service shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations. But no afore-said employment shall be considered as permanent until the expiration of a probationary period of sufficient length to satisfy the commissioner of the ability and fitness of the candidate to discharge the duties of the service into which he seeks to be appointed.

(3) That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, the game warden service or the fish hatchery service.

(4) That the said civil service commission is hereby authorized to determine and fix the minimum and maximum limits of age within which original appointments to the game warden service and the fish hatchery service may be made.

The said rules may provide for such other matters as may be deemed fitting and proper.

Sec. 4. All permanent employees to come under provisions of this act; present permanent employees to be retained. The provisions of this act shall apply to all permanent employees, including the commissioner and deputy commissioner, who shall be appointed hereafter, and they shall be required to take the examination as herein provided. All present permanent employees, including the commissioner and deputy commissioner, shall be considered as if appointed under such civil service as herein set forth.

Sec. 5. Examination of commissioner. The examination of the commissioner of inland fisheries and game shall be con-

ducted under the direction and supervision of the governor and council.

Sec. 6. Examinations to be advertised; conduct of. Notice of the time and the place of examination shall be published in the state paper, and also in some newspaper in the locality or county where a vacancy is to be filled, and examinations shall be conducted under the direction and supervision of the commissioner or deputy commissioner.

Sec. 7. Modification of rules. Rules may be modified at any time by the said civil service commission, but shall be approved by the commissioner before going into effect.

Sec. 8. Removal from service. No person in the game warden service or in the fish hatchery service shall be removed therefrom except for such cause as will promote the efficiency of the service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the department of inland fisheries and game, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the said civil service commission also shall, upon request, be furnished copies of the same.