

# MAINE STATE LEGISLATURE

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# E I G H T Y - N I N T H   L E G I S L A T U R E

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**Legislative Document**

**No. 486**

H. P. 1167

House of Representatives, February 7, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Donahue (by request) of Biddeford.

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## S T A T E   O F   M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

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### **AN ACT to Provide a Police Commission for the City of Saco.**

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

**Sec. 1. Board of police.** The administration of the police department of the city of Saco shall be under the jurisdiction of a board of police consisting of 3 citizens of the city of Saco who shall constitute a board of police of said Saco and who shall be sworn before entering upon the duties of their office. The term of office of said members of board of police shall be 3 years. All nominations shall be made and elections held under the laws which govern the nomination and election of mayor and councilmen of said city of Saco. The term of office of the present 1-year member of the board of police shall expire on the 1st Monday of January after the passage and acceptance of this act, and the term of office of the 2-year and 3-year members of the present board of police shall expire on the 1st Monday of the 2nd and 3rd January following thereafter. One member of the board of police shall be elected each year. Vacancies in said board shall be temporarily filled by the city council and the member so chosen to fill said vacancy shall hold office until the 1st Monday of the January following and at the next annual municipal election occurring after said vacancy exists some citizen shall be elected to serve during the remainder of that term. The board shall annually elect 1 of their number chairman and 1 of their number clerk, who shall be sworn and shall keep

a record of all proceedings, issue all notices, and attest all such papers and orders as the board directs.

**Sec. 2. Salaries and quarters of board of police.** The salaries of the members of said board shall be voted annually by the city council of said city and paid quarterly from the treasury thereof, but the salary of any member of said board shall not be diminished during the term of office. Said board of police shall be provided with such rooms as shall be convenient and suitable for the performance of its duties by said city and at its expense. The said city shall provide all suitable accommodations for the police of said city as said board shall require. All rooms in all buildings and all property used by said police shall be under the control of said board of police.

All the expenses for the maintenance of said rooms and all incidental expenses incurred in the administration of said police and all materials and supplies therefor shall be submitted by said board of police, upon its requisition, to the finance committee of the city, who, after approval thereof, shall purchase such necessary materials and supplies as is provided for other departments of said city government. The number of police officers and their compensation shall be determined by the city council upon the advice of said board of police.

**Sec. 3. Fees and expenses of police officers.** The fees of the chief of police, captain of police, and all other police officers of said city in criminal cases prosecuted in the municipal court of the city of Saco including their fees as witnesses, shall be taxed and allowed as in behalf of the sheriffs of the county of York, and 75% of the criminal costs and fees in said municipal court, exclusive of the fees of witnesses other than police officers, shall be paid annually by the treasurer of said county to the city of Saco provided, however, that when said percentage exceeds the annual salary or compensation of the chief of police, and captain of police of said city, the excess amount shall not be paid to said city, but shall be paid into the treasury of said county of York. Police officers may retain for their own use all fees received by them in civil cases. Neither the chief of police, captain of police, nor any other police officer of said city shall receive from any respondent in any criminal case any money, fine or costs, but in all such cases fines and costs shall be paid to the magistrate issuing the precept against such respondent, but fees taxed and allowed to the officers for attendance as witnesses in any criminal case before the appellate court, or before any court held in some town other than the one in which such officers reside, shall be paid to them from the county treasury. The expenses of any such officer necessarily and reasonably

incurred and actually disbursed in the services of any criminal precept shall be allowed and paid to him by the treasurer of said county upon his filing an itemized account thereof, under oath, accompanied by proper vouchers thereof.

**Sec. 4. Report of board of police.** Said board of police shall make a report of its doings annually to the city council at the close of the fiscal year.