

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1231

S. P. 607

In Senate, January 14, 1942.

Referred to Committee on Legal Affairs. Sent down for concurrence and 600 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Harkins of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-TWO

AN ACT Amending the Charter of the City of Lewiston.

Emergency preamble. Whereas, the police officers of the city of Lewiston will be required to perform extra duties because of the war emergency; and

Whereas, the city of Lewiston cannot properly compensate the said officers for said services without action of the legislature; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1939, c. 8, Art. XI, § 8, amended. Section 8 of Article XI of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

Sec. 8. Terms, powers and duties of superior officers. The chief of police shall be chosen by the commission by written ballot for a term of

~~4~~ years from the date of his election, or until his successor shall be elected and qualified provided that the person holding said office when this charter takes effect shall continue therein for the remainder of the term for which he has been chosen appointed by the commission by written ballot to serve until he shall arrive at the age of 65 years when he shall be retired, unless previously removed by the commission as provided for in section 9 of Article XI. The present chief shall have the preference of appointment. He shall have and exercise all the powers and authority by him hitherto had and lawfully exercised together with all the powers and authority conferred by the general laws of the state and such special powers and authority as may from time to time be delegated to him by the commission. Captains and inspectors shall be appointed by the commission and shall hold office during good behavior or until retired under the provisions of this charter. Captains and inspectors shall have such duties and powers as may be delegated to them by the commission, or by the chief of police under the authority of the commission. The police clerk shall hold office during the pleasure of the commission. He shall perform such duties as may be prescribed by the chief of police under the authority of the commission. be appointed by the commission by written ballot to serve until he shall arrive at the age of 65 years when he shall be retired, unless previously removed by the commission as provided for the removal of the chief. The chief and the clerk shall be subject to the provisions of section 25 of said Article XI. The clerk shall be allowed 2 weeks' vacation with pay. The clerk shall receive a salary of \$1800 per annum payable in equal weekly installments by the city treasurer. He shall also be vested with the powers of a patrolman, and shall perform such duties as may be prescribed by the chief of police under the authority of the commission. The present clerk shall have the preference of appointment.'

Sec. 2. P. & S. L., 1939, c. 8, Art. XI, § 14, amended. Section 14 of, Article XI of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

'Sec. 14. Salary and vacation of chief. The salary of the chief of police shall be ~~\$2,100~~ \$3,500 per annum, payable in equal weekly installments by the city treasurer. He shall be entitled to 2 weeks' vacation each calendar year with pay, to be taken when and as he may desire. While upon vacation, or when incapacitated through illness, or absent from his office on the business of the department, the duties of his position shall be assumed by the senior captain.'

Sec. 3. P. & S. L., 1939, c. 8, Art. XI, § 25, amended. Section 25 of Article XI of chapter 8 of the private and special laws of 1939 is hereby amended to read as follows:

'Sec. 25. Petition for retirement. Any member of the police department who hereafter reaches the age of 60 years, and who has served not less than 25 years, shall be retired on his petition, and thereupon become entitled to the benefits of this charter, ~~provided, however, that no provision of this charter shall be construed to include the chief of the police department.'~~

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.