

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

Published by the Secretary of State, in conjunction with the Revisor of Statutes in accordance with the Resolves of the Legislature, approved June 28, 1820, March 18, 1840, March 16, 1842, and an Act of August 6, 1930.

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE
1931

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fifth Legislature

1931

[supplied from page 1 of volume]

state, intrastate, and international bridges; twelve and one-half per cent thereof shall be added to the balance of the fund for the construction of third class highways; five per cent for the repair and maintenance of unimproved state aid and third class highways to be administered and expended under the general supervision of the commission and apportioned among the various towns according to the number of miles of third class roads maintained therein, as determined by the commission; thirty-two and one-half per cent thereof shall be added to the fund for the construction of state aid highways. Any unexpended balances from the above apportionments shall not lapse but shall be carried forward to the same fund for the next fiscal year, except that any balance of the appropriation herein made for the construction of state aid highways, after allotments in full as applied for by the towns have been made yearly, shall be added to the fund for construction of third class highways. If the moneys, provided for by this section, have not been collected or for any reason are not available for the purposes herein specified, the governor and council may issue their warrant to the treasurer of state, authorizing him to advance and pay from any moneys then in the treasury not otherwise appropriated, such sums of money as they may deem necessary to carry on the construction and maintenance of highways and bridges, until such time as said moneys shall become available for said purposes, at which time all necessary adjustments may be made on the books of the state auditor and treasurer of state.'

Sec. 3. R. S., c. 12, sec. 89; relating to provision for refund of tax collected in certain instances, amended. Chapter twelve, section eighty-nine of the revised statutes is hereby amended by striking out the word "three-fourths" in the thirteenth line thereof and inserting in place thereof the word 'four-fifths,' and by striking out the word "three-fourths" in the twenty-first line thereof and inserting in place thereof the word 'four-fifths.'

Approved April 3, 1931.

Chapter 237.

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:

Sec. 1. Civil service commission provided for. A sub-committee 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 in-

CHAP. 237

to 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 all persons affected thereby 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. Among other things, 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 permanent employment in 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 aforesaid 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 conducted 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 may submit affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the commissioner. 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.

Sec. 9. Inconsistent acts repealed. All acts or parts of acts, inconsistent herewith, are hereby repealed.