

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1985

S.P. 760

In Senate, December 18, 1989

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Received by the Secretary of the Senate on December 18, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.

Cosponsored by Senator PERKINS of Hancock, Representative RIDLEY of Shapleigh and Representative SEAVEY of Kennebunkport.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Allow the State Police to Recover Funds Expended for Presidential Security.



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

25 MRSA §1502, as amended by PL 1985, c. 403, Pt. A, §1, is further amended to read:

§1502. Powers and duties; cooperation of others

The specific powers and duties of the State Police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the law, and all laws relating to ~~meter-driven~~ motor-driven and ~~horse-drawn~~ horse-drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators thereof and prosecuting all offenders against the same. The State Police shall aid the Department of Transportation in the enforcement of its rules and orders and permit regulations. In addition to such these duties and powers, the Chief and members of the State Police are vested with the same powers and duties throughout the several counties of the State as sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this State and to arrest the offenders thereof, and the same power and duty as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the State until a legal warrant can be obtained. As arresting officers, or aids, or witnesses in any criminal case, they shall be limited to the same fees as complainants under Title 15, section 1363. Such ~~fees~~ Fees shall be taxed on a bill of costs and shall be paid promptly each month to the Treasurer of State and credited to the General Highway Fund. They shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve any subpoenas, notices and processes issued by the Secretary of State or the Department of Transportation under authority of law. They shall at all times be subject to the call of the Governor for emergency purposes at his the Governor's discretion.

The State Police, sheriffs and deputy sheriffs, constables, city marshals, deputy marshals and police officers of cities and towns shall, so far as possible, cooperate in the detection of crime, the arrest and prosecution of criminals and the preservation of law and order throughout the State.

The State Police may provide patrol services to the Maine Turnpike. The Chief of the State Police may charge the Maine Turnpike Authority for these services. Revenues received are allocated for the purpose of funding the cost of patrolling the Maine Turnpike.

The State Police may provide assistance to federal agencies for presidential security. The Chief of the State Police may charge the various federal agencies for these services. Revenues

2 received from these agencies shall be allocated for the purpose
3 of funding the cost of providing the services.

4 Municipal and county jails shall at all times be available
5 for detention of persons arrested by state or any other law
6 enforcement officers. In those municipalities where full-time
7 supervision of the jail is not provided by the municipality, full
8 responsibility for the safekeeping and welfare of such any person
9 detained shall rest solely with such the arresting officer.
10 Expense of any municipality or any damage to the jail resulting
11 from the use of its jail by ~~such-officers~~ any arresting officer
12 shall be reimbursed to the municipality by the law enforcement
13 agency for which the arresting officer is acting.

14
15 County commissioners of all the several counties are
16 authorized to provide and pay for liability insurance protection
17 for the keeper of the county jail.

18
19
20 **STATEMENT OF FACT**

21
22 This bill allows the Bureau of State Police to receive funds
23 from the Federal Government for providing presidential security.
24 The funds would then be used to defray the cost of providing the
25 service.
26