

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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### Chapter 3

#### AN ACT Relating to Perpetual Care of Cemetery Lots.

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

R. S., c. 75, additional. Chapter 75 of the revised statutes is hereby amended by adding thereto a new section to be numbered 20-A, and to read as follows:

'Sec. 20-A. Perpetual care of cemetery lots, provided for. Judges of probate, in any case in which an estate is under their jurisdiction for probate, shall have the power to order that an appropriate amount out of the estate be set aside for perpetual care and suitable memorials for the cemetery lot in which the deceased is buried, and to order special care of such lots, when the conditions and size of the estate seem to warrant such order.'

Approved February 17, 1939.

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### Chapter 4

#### AN ACT Providing That the State of Maine May Enter into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be On Probation or Parole.

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

Sec. 1. Governor authorized to execute a compact. The governor of this state is hereby authorized and directed to execute a compact on behalf of the state of Maine with any of the states of the United States legally joining therein in the form substantially as follows:

#### A COMPACT

Entered into by and among the contracting states, signatories hereto, with the consent of the Congress of the United States of America, granted by an act entitled "An Act Granting the Consent of Congress to any two or more States to enter into Agreements or Compacts for Cooperative Effort and Mutual Assistance in the Prevention of Crime and for other purposes."

The contracting states solemnly agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact, (herein called "sending state"), to permit any person convicted of an offense within such

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state and placed on probation or released on parole to reside in any other state party to this compact, (herein called "receiving state"), while on probation or parole, if

(a) Such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;

(b) Though not a resident of the receiving state and not having his family residing there, the receiving state consents to such person being sent there.

Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than 1 year prior to his coming to the sending state and has not resided within the sending state more than 6 continuous months immediately preceding the commission of the offense for which he has been convicted.

(2) That each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of the states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state: provided, however, that if at the time when a state seeks to retake a probationer or parolee there should be pending against him within the receiving state any criminal charge, or he should be suspected of having committed within such state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.

(4) That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

(5) That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when ap-

pointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

(7) That this compact shall continue in force and remain binding upon each executing state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which executed it, by sending 6 months' notice in writing of its intention to withdraw from the compact to the other states party hereto.

**Sec. 2. Saving clause.** If any section, sentence, subdivision or clause of this act is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

**Sec. 3. Title of act.** This act may be cited as the "Uniform Act for Out-of-State Parolee Supervision."

Approved February 21, 1939.

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## Chapter 5

### AN ACT Relating to Katahdin Park Game Preserve and Enlarging Same.

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

R. S., c. 38, § 90, amended. That portion of section 90 of chapter 38 of the revised statutes, relating to "Katahdin Park Game Preserve" is hereby repealed and the following is substituted in place thereof:

'Katahdin Game Preserve; the following described tract or territory situated in the county of Piscataquis, the same being in unorganized townships, to wit:

Townships 3, 4 and 5 in the 9th range, W. E. L. S. and parts of townships 3 and 4 in the 10th range, W. E. L. S. and a part of township 4, range 11, W. E. L. S. bounded as follows:

Commencing at the northeast corner of township 5, range 9, on the easterly line of the county of Piscataquis; thence southerly on the easterly line of the county of Piscataquis 18 miles, more or less, to the southeast