

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

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 Acts approved
August 6, 1930 and April 2, 1931.

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AUGUSTA, MAINE
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

shall hereafter be named "Baxter State Park" in honor of the donor, and the same hereafter shall forever be so designated on the official maps and records of the state.

Approved February 21, 1939.

Chapter 7

AN ACT to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate with Other States Therein.

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

Sec. 1. Arrest. Any member of a duly organized state, county or municipal police unit of another state of the United States who enters this state in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a felony in such other state, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized state, county or municipal police unit of this state, to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this state.

Sec. 2. Hearing. If an arrest is made in this state by an officer of another state in accordance with the provisions of section 1 of this act he shall without unnecessary delay take the person arrested before a magistrate of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state, or admit him to bail for such purpose. If the magistrate determines that the arrest was unlawful he shall discharge the person arrested.

Sec. 3. Exception. Section 1 of this act shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.

Sec. 4. Definition. For the purpose of this act the word "state" shall include the District of Columbia.

Sec. 5. Terms defined. The term "fresh pursuit" as used in this act shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has

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actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

Sec. 6. Copies to be certified. Upon the effective date of this act it shall be the duty of the secretary of state to certify a copy of this act to the executive department of each of the states of the United States.

Sec. 7. Validating clause. If any part of this act is for any reason declared void, it is declared to be the intent of this act that such invalidity shall not affect the validity of the remaining portions of this act.

Sec. 8. Title. This act may be cited as the "Uniform Act on Fresh Pursuit."

Approved February 21, 1939.

Chapter 8

AN ACT to Promote Aviation in Maine.

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

Sec. 1. Committee to be appointed. The governor, with the advice and consent of the council, is hereby authorized to appoint a committee of 3, all residents of Maine, to serve during the pleasure of the governor and council.

Sec. 2. No compensation. The said committee shall receive neither compensation for their services nor expenses incurred during their term of office.

Sec. 3. Duty of committee. The sole duty of the committee shall be to study aeronautical conditions of the state of Maine and to make recommendations to the secretary of state, and to the governor and council for the improvement of the same.

Sec. 4. May cooperate with other agencies. The committee, the secretary of state, and the governor and council, for the purpose of improving aeronautical conditions in the state of Maine, are hereby authorized to cooperate with and coordinate with such other agencies, whether state or federal, as may be working toward the development of aeronautics within the state of Maine.

Sec. 5. Name of committee. The committee shall be known as "The Aeronautical Committee".

Approved February 21, 1939.