

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1973

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature

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## CHAPTER 133

### AN ACT to Change the Date of the Primary Election.

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

**R. S., T. 21, § 448, amended.** Section 448 of Title 21 of the Revised Statutes is amended to read as follows:

#### § 448. Time of election

The primary election shall be held on the ~~3rd Monday~~ **2nd Tuesday** of June of each general election year.

Effective October 3, 1973

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## CHAPTER 134

### AN ACT Establishing the Carver's Pond Waterfowl Sanctuary, Knox County.

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

**R. S., T. 12, § 2101, amended.** Section 2101 of Title 12 of the Revised Statutes, as amended, is further amended by inserting after the 4th paragraph the following:

**Carver's Pond Waterfowl Sanctuary:** No person shall at any time, hunt, trap, catch, pursue, shoot at or kill any waterfowl on the surface of, or above or below the surface of the waters of Carver's Pond, so called, in the Town of Vinalhaven, County of Knox or 100 feet from the mean high water mark of said pond. Carver's Pond for the purpose of this sanctuary shall be considered all the waters of said pond above the bridge on Main Street of the Town of Vinalhaven.

Effective October 3, 1973

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## CHAPTER 135

### AN ACT Relating to Appointment of Municipal Law Enforcement Officers.

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

**Sec. 1.** **R. S., T. 30, c. 213, sub-c. III-A, additional.** Chapter 213 of Title 30 of the Revised Statutes is amended by adding a new subchapter III-A to read as follows:

## SUBCHAPTER III-A

### LAW ENFORCEMENT OFFICERS

#### § 2361. Police officers

1. **Appointment.** Except as provided in municipal charter or section 2317, subsection 1, paragraph F, the municipal officers may appoint for a definite term, control and fix the compensation of police officers, unless the municipality has provided otherwise under section 2152, subsection 2. Police officers may be removed for cause after notice and hearing.

2. **Powers.** Police officers shall be empowered to serve criminal processes and to arrest and prosecute offenders of the law. Except for the purpose of retaking a prisoner whom he has arrested and who has escaped, or for the purpose of taking a person before the District Court, or for the purpose of executing a mittimus given to him by such court, or for the purpose of pursuing a person who has gone into another municipality and for whose arrest a police officer has a warrant, no police officer shall have any authority in criminal matters beyond the limits of the municipality in which he is appointed. A police officer has all the statutory powers of a constable, except as limited by municipal ordinance.

#### § 2362. Special police officers

Special police officers of limited jurisdiction may be appointed for a term of not more than one year and as provided in section 2361, subsection 1 and shall have all powers of a police officer, except as specifically provided by municipal ordinance or the certificate of appointment.

#### § 2363. Constables

Constables shall be appointed in the same manner and with the same effect as special police officers. Persons injured by the neglect or misdoings of a constable have the same remedy by preliminary action, and action of his bond, as in case of a sheriff's bond. For services which may be performed either by a deputy sheriff or a constable, the constable is allowed the same fees as a deputy sheriff, unless otherwise provided.

#### § 2364. Arrest in other municipalities

Every municipal law enforcement officer in fresh pursuit of a person who travels beyond the limits of the municipality in which the officer is appointed shall have the same power to arrest such person as the officer has within the said municipality. This section shall apply to both felonies and misdemeanors.

With respect to felonies, the term "fresh pursuit" as used in this section shall be as defined in Title 15, section 152; with respect to misdemeanors "fresh pursuit" shall mean instant pursuit of a person with intent to apprehend.

**Sec. 2. R. S., T. 30, §§ 2401 - 2404, repealed.** Sections 2401, 2402, and 2402-A as enacted by chapter 243 of the public laws of 1971, and sections 2403 and 2404 of Title 30 of the Revised Statutes are repealed.