

# MAINE STATE LEGISLATURE

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REVISED STATUTES  
OF THE  
STATE OF MAINE

1954

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1955 SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 1

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**Place in Pocket of Corresponding  
Volume of Main Set**

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1955

paragraph and inserted the words "and shall establish" in the same sentence. It also inserted the third and fourth sentences of the first paragraph, and added the second and third paragraphs.

**Sec. 12. Appropriations and authority to accept services, gifts, grants and loans; state director authorized to convey equipment, etc.**

The state director, for purposes of civil defense and public safety, and subject to the approval of the governor, may convey equipment, supplies, materials or funds by way of sale, lease or grant to any political subdivision of the state, such conveyance to be subject to the terms of the offer and the rules and regulations, if any, imposed by the state. (1949, c. 298. 1955, c. 435, § 3.)

**Effect of amendment.**—The 1955 amendment added the above paragraph at the end of this section. As the rest of the section was not changed, only the paragraph added by the amendment is set out.

**Sec. 13. Utilization of existing services and facilities.**—In carrying out the provisions of this chapter, the governor and the executive officers or governing bodies of the political subdivisions of the state are directed and shall utilize the services and facilities of existing departments, offices and agencies of the state and all the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed and shall cooperate with and extend such services and facilities to the governor and to the civil defense and public safety organizations of this state upon request. (1949, c. 298. 1955, c. 435, § 4.)

**Effect of amendment.**—The 1955 amendment substituted "and shall" for "to" after the word "directed" in lines three and six. It also substituted "all" for "of" before the words "the political subdivisions," and "this" for "the" before the word "state" near the end of the section.

**Sec. 19-A. Penalty.**—Every officer of a political subdivision of this state who, having administrative responsibilities under the provisions of this chapter, willfully violates any of the provisions of this chapter shall be punished by a fine of \$20. (1955, c. 435, § 5.)

## Chapter 14. The Military Law.

### Adjutant General.

**Sec. 11. Adjutant general, rank, powers and duties; salary; assistant.**—The adjutant general of the state shall be appointed by the governor, shall have the rank of brigadier general and may be promoted to the rank of major general. He shall be ex officio, chief of staff, quartermaster general and paymaster general of the state. For the purpose of establishing the relation between the national military establishments, and the various staff departments of the state, he shall be the chief of said departments; and the requisitions, purchases and issues to be made by the senior officer on duty in certain of said departments, as hereinafter prescribed, shall be made by them pursuant and in obedience to his directions and instructions.

He shall control the military department subordinate only to the governor, and may adopt such methods of administration, not inconsistent with the laws, regulations and customs of the service of the national military establishment, so far as the same may be applicable, as he may deem necessary to render the department efficient.

He shall superintend the preparation of all returns, reports, plans and estimates required of the state by the national military establishment; and, on or before the 30th day of June of each year, shall make a report to the governor of the strength

and condition of the militia and of the business transactions of the department, including a detailed statement of expenditure for all military purposes.

He shall be responsible for the care, preservation and repair of all military property belonging or issued to the state for the arming and equipping of the militia; and he shall dispose of all military property of the state found unserviceable after a proper inspection, account for the proceeds, and deposit the same into the state treasury, to the credit of the military fund.

He shall cause to be turned in, in such manner as the national military establishment may require, such ordnance, accoutrements and equipments belonging to the United States and receive in substitution therefor such prescribed regulation ordnance and equipment, as may be necessary to conform to the standard required by the laws and regulations of the United States.

He shall, under the direction of the governor, prepare and submit to the state purchasing agent requisitions for, and make issues of, such military property as is necessary to equip the organizations of the national guard or other state military or naval forces according to the standard that is now or may be hereafter prescribed by the laws and regulations of the United States; he shall approve all issues; but no such property shall be issued, or otherwise disposed of, to persons or organizations other than those of the national guard or other state military or naval forces.

He shall keep a just and true account of all expenses necessarily incurred, including pay, transportation and subsistence of officers and enlisted men of the national guard or of any other authorized state military or naval forces, and of all military property; and shall render annually to the governor a statement in detail showing the deposition of all clothing, ordnance, arms, ammunition and other military property on hand and issued.

He may sell for cash to officers of the national guard or other authorized state military or naval forces, for their official use, and to organizations of the national guard or other authorized state military or naval forces, any military or naval property which is the property of the state; and he shall, with his annual report, render to the governor a true account of the sales so made, and shall deposit the proceeds of the same in the state treasury to the credit of the military fund.

The adjutant general shall receive an annual salary of \$8,000; he shall receive no other fee, emolument or perquisite.

The adjutant general may appoint, subject to the approval of the governor, an officer, who shall meet the same requirements as officers for appointment to the staff as provided for in section 9, as assistant adjutant general, who shall assist the adjutant general in the performance of his duties, and who shall, whenever the adjutant general is absent or unable from any cause to perform his duties, or whenever a vacancy shall exist in the office of adjutant general, perform the duties of the adjutant general during such absence and disability, and who, in the case of vacancy in the said office, shall be acting adjutant general until such vacancy shall have been filled by the commander in chief, as provided for by law.

Subject to the approval of the governor, the adjutant general may appoint a property officer and a plans and training officer both of whom shall meet the requirements for appointment of staff officers provided in section 9, hold office at the pleasure of the adjutant general and receive salaries to be fixed by the governor and council.

The property officer shall perform such duties relative to the care, preservation and repair of military property belonging or issued to the state as the adjutant general may from time to time direct and shall receipt and account for all property allotted to his custody and make such returns and reports concerning the same as may be required by the adjutant general. He shall give a good and sufficient bond to the state in an amount to be determined by the governor for the faithful performance of his duties and for the safekeeping and proper distribution of all property entrusted to his care.

The plans and training officer shall perform such duties relative to the instruc-

tion and training of the national guard or other state military or naval forces as the adjutant general may from time to time direct and he shall make such returns and reports concerning the same as may be required by the adjutant general. (R. S. c. 12, § 12. 1945 c. 363. 1947, c. 388. 1949, c. 326, §§ 6, 7. 1951, c. 161; c. 412, § 2. 1953, c. 308, § 7. 1955, c. 405, § 5; c. 473, § 2.)

**Effect of amendments.**—The first 1955 changes of a formal nature in the first amendment inserted the provision authorizing promotion of the adjutant general to major general and made certain other paragraph. The second 1955 amendment increased the annual salary of the adjutant general from \$7,000 to \$8,000.

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## Chapter 15. State Police.

Sections 8-13. Stations for Weighing Vehicles.

### State Police.

**Sec. 2. Powers and duties; duty of other officers to cooperate.**—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 provisions of law and all laws relating to motor driven and 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 also aid the state highway commission in the enforcement of its rules and orders and permit regulations. In addition to such 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 also 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 entitled to the same fees as any sheriff or deputy. Such 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 state highway commission under authority of law. They shall also at all times be subject to the call of the governor for emergency purposes at his 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. (R. S. c. 13, § 2. 1949, c. 323, § 1. 1955, c. 118, § 2.)

**Effect of amendment.**—The 1955 amendment inserted the second sentence.

**Sec. 3. Uniform and equipment; to hold no other office.**—Members of the state police shall be provided at the expense of the state with a distinctive uniform and badge, and with suitable equipment, all of which shall remain the property of the state. When on duty to enforce the laws of the road, and at such other times as the chief may require, state policemen shall be in uniform. They shall hold no other office during their term of service. It shall be unlawful for any person to wear the prescribed uniform or badge of the state police or any distinc-