

MAINE STATE LEGISLATURE

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CHAPTER 305

WARDENS

Sec.

- 2001. Appointment; powers and duties; service of process.
- 2002. Role as state fire wardens.
- 2003. Officials with powers of wardens; other offices forbidden.
- 2004. Acceptance of personal recognizances.

§ 2001. Appointment; powers and duties; service of process

The commissioner shall appoint persons as fish and game wardens who shall have qualified under the written code prepared by the commissioner and approved by the Personnel Board. The compensation of the wardens shall be determined under the Personnel Law.

It shall be the duty of the inland fish and game wardens to enforce all laws relating to inland fisheries and game and all rules and regulations pertaining thereto, Title 17, sections 2794 and 2798, to arrest all violators thereof, and to prosecute all offenses against the same.

The wardens shall have the authority to serve criminal processes on offenders of the law, and to arrest and prosecute camp trespassers or persons committing larceny from any cottage, camp or other building, and, except before the District Court, shall be allowed the same fees as sheriffs and their deputies for like services, all such fees to be paid to the commissioner. The wardens shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve all processes pertaining to the enforcement of any provision of chapters 301 to 335.

The wardens shall have the authority to arrest any person who assaults or in any manner willfully obstructs any inland fish and game warden while in the lawful discharge of his duties.

R.S.1954, c. 37, § 24; 1957, c. 334, § 4; 1961, c. 291; c. 397, § 2; 1963, c. 25; c. 402, § 72.

§ 2002. Role as state fire wardens

Inland fish and game wardens shall be and act as state fire wardens. They shall, while in and about the woods, caution all sportsmen of the danger from fires in the woods and extinguish

all fires left burning by anyone, if within their power. They shall give notice to any and all parties interested, when possible, of fires raging and beyond their control, to the end that the same may be controlled and extinguished.

R.S.1954, c. 37, § 25.

§ 2003. Officials with powers of wardens; other offices forbidden

Sheriffs, deputy sheriffs, police officers, constables and coastal wardens are vested with the powers of inland fish and game wardens, and shall receive for similar services the same fees as those of inland fish and game wardens. Wardens appointed under authority of chapters 301 to 335 shall hold no other state, county or town office from which they receive compensation.

R.S.1954, c. 37, § 26; 1963, c. 279, § 7.

§ 2004. Acceptance of personal recognizances

Any warden of the department making an arrest for any violation of any provision of chapters 301 to 335 at a point more than 50 miles distant from the nearest District Court having jurisdiction, may accept the personal recognizances of the prisoner in the sum of not exceeding \$250 for his appearance before the nearest District Court on a specified date and a deposit in money to the amount of said recognizance. Said warden shall forthwith report all such recognizances and forward all such deposits to the court to which such recognizance is returnable.

If such person fails to appear in court on the day specified, either in person or by counsel, the court shall order the recognizance and money deposited forfeited, and shall notify the commissioner of said default and forfeiture. The default and forfeiture shall be considered a conviction for purposes of revocation of licenses.

All money forfeited as aforesaid shall be immediately forwarded to the commissioner.

R.S.1954, c. 37, § 132; 1955, c. 89; 1963, c. 279, § 32; c. 402, § 79.