

MAINE STATE LEGISLATURE

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PART 4

STATE POLICE

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CHAPTER 191

**ORGANIZATION; POWERS AND DUTIES;
UNIFORMS; COMPENSATION;
RESERVE CORPS**

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1504. Salaries and compensations; oath; not to receive fees.
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§ 1501. Chief; deputy; members of force; rules and regulations

The Governor, with the advice and consent of the Council, shall appoint a Chief of the State Police, as heretofore appointed, to serve for a term of 4 years unless removed for cause. Such appointment may be made from the membership of the State Police. He may be removed by the Governor and Council only after charges have been preferred in writing and, if he so requests, after public hearing. The chief shall be the executive head of the Department of the State Police, as heretofore established, and shall execute the duties of his office under the direction and subject to the approval of the Governor and Council. Subject to the approval of the Governor and Council, the chief may designate a commissioned officer of the State Police to act as his deputy. Subject to the Personnel Law, the Chief of the State Police may enlist suitable persons as members of the State Police to enforce the law and employ such other employees as may be necessary. The Chief of the State Police shall make rules

and regulations, subject to the approval of the Personnel Board, for the discipline and control of the State Police.

R.S.1954, c. 15, § 1; 1959, c. 363, § 5; 1961, c. 397, § 1.

§ 1502. Powers and duties; cooperation of others

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 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 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 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 limited to the same fees as complainants under Title 15, section 1363. 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 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.

Municipal and county jails shall at all times be available for detention of persons arrested by state or any other law enforcement officers. In those municipalities where full-time supervision of the jail is not provided by the municipality, full responsibility for the safekeeping and welfare of such person detained shall

rest solely with such arresting officer. Expense of any municipality or any damage to the jail resulting from the use of its jail by such officers shall be reimbursed to the municipality by the law enforcement agency for which the arresting officer is acting.

County commissioners of all the several counties are authorized to provide and pay for liability insurance protection for the keeper of the county jail.

R.S.1954, c. 15, § 2; 1955, c. 118, § 2; 1963, c. 340, § 1; c. 436.

§ 1503. 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 distinctive part thereof except on order of the chief of said State Police.

R.S.1954, c. 15, § 3; 1955, c. 406, § 6.

§ 1504. Salaries and compensations; oath; not to receive fees

The Governor and Council shall determine the salary of the chief and deputy chief. The compensation of the other members of the State Police shall be determined under the Personnel Law.

Before entering upon the duties of their office they shall be sworn.

No inspector or member of the State Police shall receive any fee as a complainant or witness, or for making an arrest or for attendance at court, but shall be reimbursed by the State for his actual costs of arrest and actual expenses of travel and attendance. Whenever any fines or penalties are imposed by any court other than the District Court in any proceeding in which a member of the State Police is a complainant or a witness, said court may tax costs for such complainant or witness in the usual manner.

R.S.1954, c. 15, § 5; 1957, c. 334, § 1; 1963, c. 402, § 5.

§ 1505. Reserve corps

The chief is authorized to establish and maintain a State Police Reserve Corps. To be eligible for membership in such reserve corps, applicants shall meet such standards as may be determined by the chief; shall enlist therein for a period of not less than 3 years, and shall take the oath prescribed in section 316. Upon the issuance by the Governor of the proclamation provided for in section 307, the chief may order any or all of the members of said reserve corps to active duty as State Police for the duration of the proclaimed emergency or any part thereof. When ordered to active duty, members of said reserve corps shall have the same status as regular members of the State Police.

R.S.1954, c. 15, § 6.