

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 986

S. P. 320

In Senate, January 31, 1963

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Stitham of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Search and Arrest for Violation of Fish and Game Laws.

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

R. S., c. 37, § 128, repealed and replaced. Section 128 of chapter 37 of the Revised Statutes, as revised, is repealed and the following enacted in place thereof:

'Sec. 128. Commissioner and wardens may make arrest or search buildings, camps, vessels, etc., with or without warrants. The commissioner and wardens may arrest, with or without a warrant, any person whom he has probable cause to believe guilty of a violation of any provision of this chapter and, with or without a warrant, may open, enter and examine all buildings, camps, vessels, boats, wagons, cars, motor vehicles, airplanes, stages, tents and other receptacles and places, and examine all boxes, barrels, packages, containers, freezers, refrigerators or any other type of receptacle, where he has probable cause to believe that birds, fish, game or other wild animals, or parts thereof, taken or held in violation of this chapter, or where any evidence, contraband or instrumentalities, of any crime in violation of this chapter, are to be found, and seize such birds, fish, game or other wild animals, or parts thereof, or any evidence, contraband or instrumentalities of any crime in violation of this chapter, if any be found therein. No dwelling house shall be searched for the above purposes without a warrant, unless by consent, or incidental to a lawful arrest, and no sealed railroad car shall be entered for the above purposes without such warrant. Any judge may issue warrants to search within his jurisdiction for the purposes above set forth.'