

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION
NEW DRAFT OF S. P. 663, L. D. 1644
(NEW TITLE)
(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1672

S. P. 694

In Senate, January 10, 1964

Reported by Senator Wyman of Washington from the Committee on Towns and Counties and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FOUR

**AN ACT Relating to Detention by Counties and Municipalities of Persons
Arrested by Law Enforcement Officers.**

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, arrest and detention of persons alleged to have committed crimes is a statutory responsibility of state law enforcement officers; and

Whereas, there is no statutory provision for the detention of such persons; and

Whereas, the following legislation is vitally necessary to prevent confusion and a possible breakdown of law enforcement; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 15, § 2, amended. Section 2 of chapter 15 of the Revised Statutes, as amended, is further amended by adding at the end a new paragraph to read as follows:

'Municipal and county jails shall at all times be available for the detention of persons arrested by state or any other law enforcement officers. The keeper of any such municipal or county jail shall not be liable for any false arrest committed before any such arrested person is detained in such municipal or county jail, nor, in such case, shall his detention subject the keeper to liability for false imprisonment.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.