

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 66

S. P. 40

In Senate, January 12, 1977

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

MAY M. ROSS, Secretary

Presented by Senator Pierce of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Empower all Sworn Public Safety Department Personnel with
Criminal Powers of Arrest.**

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

Sec. 1. 25 MRSA § 2396, sub-§ 7, last sentence, as last repealed and replaced by PL 1973, c. 632, § 6, is repealed and the following enacted in its place:

The enforcement powers shall include enforcement of rules and regulations concerned with fire prevention, arson and other burnings, arrest for impersonation of or interference with the State Fire Marshal, his deputy or fire inspectors, and enforcement of such other areas of responsibility as may by law be assigned to the office of State Fire Marshal. In addition to these powers, the State Fire Marshal, his deputy and inspectors appointed under this Title shall have the power to investigate and prosecute violators of any law of this State and 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.

Sec. 2. 28 MRSA § 59, first ¶, as repealed and replaced by PL 1975, c. 741, § 4, is amended by adding a new sentence before the last sentence to read as follows:

In addition to these powers and duties, the sworn personnel of the Bureau of Liquor Enforcement shall have the power to investigate and prosecute violators of any law of this State and 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.

STATEMENT OF FACT

It is the intent of this bill to empower the sworn personnel of the State Fire Marshal's office and the Liquor Enforcement Division with criminal powers of arrest in addition to their specific duties. Liquor inspectors and fire inspectors are presently uniformed members of the Department of Public Safety. As visible uniformed officers they are called upon by the public to perform criminal arrests for which they do not now have the authority.