

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1259**

H. P. 1029

House of Representatives, March 16, 1979

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bowden of Brooklin.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Enable the Establishment of Municipal Police Aid Agreements.**

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

30 MRSA § 2361, sub-§§ 3, 4 and 5 are enacted to read:

3. **Municipal agreements.** Notwithstanding the provisions of subsection 2, municipalities may enter into mutual agreements in which the jurisdiction of police officers of each municipality is conferred to the police officers of the other municipalities. Police officers acting pursuant to these agreements are entitled to the privileges and immunities of their office as when acting in their own municipality. If a police officer acts pursuant to what he reasonably believes is a valid agreement and the agreement is later found to be void for any reason, the action taken by the police officer shall be deemed to be in compliance with a valid agreement. Appropriate action by ordinance, resolution or other action pursuant to the laws of the governing bodies of the participating municipalities shall be necessary before any such agreement shall enter into force.

4. **Specifications.** Any agreement under subsection 3 shall include the following:

A. The conditions under which the police officers of each municipality may enter the jurisdiction of the other municipality may enter the jurisdiction of the other municipality and retain their privileges and immunities;

- B. The authority and control under which entering police will be acting;**
  - C. The compensation, if any, to be paid by a municipality for the services rendered by the police officers of another municipality;**
  - D. The compensation, if any, to be paid by a municipality for damage, injury or death incurred by police officers of another municipality while rendering services; and**
  - E. A provision for the revocation of the agreement, including notice to the other municipality.**
- 5. Attorney General approval not required. These agreements are not subject to the approval of the Attorney General.**

#### STATEMENT OF FACT

At present, municipalities may authorize fire aid to other municipalities pursuant to section 3777 and may enter into interlocal cooperation agreements for the exchange of many other services under section 1951 et seq. This bill extends the range of allowable municipal cooperation by enabling them to enter agreements which give police officers of those municipalities arrest powers in each other's jurisdiction, thus permitting more effective employment of scarce resources.