

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-332)

SENATE AMENDMENT "A" to SENATE AMENDMENT "B" to
S.P. 581, L.D. 1639, Bill, "AN ACT to Make Additional Corrections
of Errors and Inconsistencies in the Laws of Maine."

Part A in the first
Amend the Amendment in / paragraph by inserting
after "Section 158" the following: 'Section 160'

Further amend the Amendment in Part B by inserting after
section 12 the following:

'Sec. 13. 12 MRSA §6001, sub-§13-A is enacted to read:
13-A. Engage. "Engage" means engage or attempt to engage.

Sec. 14. 12 MRSA §6025, as enacted by PL 1977, c. 661, §5,
is amended to read:

§6025. Marine patrol officers

71 1. Appointment. Applicants for the position of a ~~coastal~~
warden marine patrol officer who qualify under the ~~warden's~~
officer's code and pass the examination administered by the
Department of Personnel, may be appointed by the commissioner 67
to hold office under Title 5, chapters 51 to 61 and under the
warden's officer's code.

71 2. Fees and other offices. Except before the District Court,
wardens officers shall be allowed the same fees as sheriffs and
their deputies for like service which shall be paid to the com-
missioner for use of the State. Wardens Officers may not hold
any other state, county or municipal office for which they re-
ceive compensation.

71 3. Powers and duties. Wardens Officers shall enforce all
marine resources' laws and may arrest and prosecute all violators.
They may serve all process pertaining to marine resources' laws.
They shall have jurisdiction and authority in all areas where the
laws for which they have responsibility apply. In addition to
their specified powers and duties, the ~~coastal~~ wardens marine patrol
officers are vested with the authority to enforce all laws of the

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State and may arrest for violations of any criminal laws. Any warden officer may require suitable aid in the execution of the duties of his office. Marine Patrol Officers may receive complete law enforcement training within one year from the date of employment and in-service training privileges at the Maine Criminal Justice Academy.

4. Search powers. Any ~~coastal warden~~ marine patrol officer, in uniform, may search without a warrant and examine any watercraft, aircraft, conveyance, vehicle, box, bag, locker, trap, crate or other receptacle or container for any marine organism when he has probable cause to believe that any marine organism taken contrary to law is concealed thereon or therein.

5. Sheriff and police powers as <-----> marine patrol officers. A sheriff, deputy sheriff, police officer, constable or inland fisheries and wildlife warden, within their respective jurisdiction, shall be vested with the powers of a ~~coastal warden~~ marine patrol officer, except the powers provided in sections 6306 and 6434. When an officer acts under this section, the same fees shall be paid for his services to the usual recipient of the officer's fees.

Sec. 15. 12 MRSA §6372, sub-§4, as enacted by PL 1977,

c. 661, §5, is amended to read:

4. Stay. Upon written request, the ~~commissioner~~ commissioner may delay the suspension pending the determination of the original hearing or the appeal, if he finds that suspension will cause undue hardship.'

Further amend the Amendment in Part B by inserting after section 65 the following:

Sec. 66. Revision clause. Wherever in the Revised

Statutes the words "~~Coastal Warden Service~~" appear or reference is made to that name, they shall be amended to read and mean

"Bureau of Marine Patrol;" wherever in the Revised Statutes

the words "~~Coastal Warden~~" appear or reference is made to that

name, they shall be amended to read and mean "marine patrol

officer;" and wherever in the Revised Statutes the words

"Chief Coastal Warden" appear or reference is made to that name, they

shall be amended to read and mean "Chief/ ^{of the} Bureau of Marine

Patrol."

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Further amend the Amendment in Part B by renumbering the sections to read consecutively according to title and section.

Statement of Fact

This amendment corrects an error, clarifies a definition and changes the names of "coastal wardens" to "marine patrol officers."

(Shute)
NAME: 
COUNTY: Waldo

Reproduced and distributed pursuant to Senate Rule 11-A.

June 7, 1979

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