

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1976

H.P. 1465 House of Representatives, January 7, 1988
Submitted by the Department of Marine Resources pursuant
to Joint Rule 24.

Reference to the Committee on Marine Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative SALSBURY of Bar Harbor.

Cosponsored by Senator TUTTLE of York, Representatives
RICE of Stonington and LOOK of Jonesboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT Concerning the Volunteer Marine Patrol
Program.

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2
3

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

6 12 MRSA §6028, as enacted by PL 1983, c. 449,
7 is amended to read:

8 §6028. Deputy marine patrol officers

9 1. Appointment. The commissioner may appoint

1 volunteer deputy marine patrol officers upon such
2 conditions as the commissioner may determine.
3 Volunteer Deputy marine patrol officers shall serve
4 without compensation and may be paid actual automobile
5 costs at the rate paid to state employees.

6 2. Powers and duties. Volunteer Deputy marine
7 patrol officers shall have the same powers and duties
8 as marine patrol officers specified in section 6025,
9 except that the exercise of these powers and duties
10 shall be limited to marine resources laws set out in
11 chapters 601 to 627, inclusive, and department
12 regulations adopted pursuant to these statutes.
13 Volunteer Deputy marine patrol officers shall
14 complete reserve officer training at the Maine
15 Criminal Justice Academy pursuant to Title 25, section
16 2805-A, prior to assuming these duties.

17

STATEMENT OF FACT

18 Changing the title of marine patrol officers to
19 "deputy marine patrol officer" more clearly indicates
20 a difference between part-time and full-time patrol
21 officers.

22 The Maine Revised Statutes, Title 12, section
23 6028, limits volunteer marine patrol officers' powers
24 and duties as set forth in sections 601 to 627,
25 inclusive. Part-time patrol officers are presently
26 utilized to supplement the regular force on
27 enforcement of specific Department of Marine Resources
28 laws and rules. Such officers, in enforcing marine
29 resource laws, may be faced with another

1 violation, such as a boating safety infraction, in
2 which action should be taken but cannot be, except as
3 a "citizen's" arrest. In such circumstances, the
4 citizen is subject to suit. This bill broadens
5 authority of the volunteer officer so that reasonable
6 and efficient enforcement may occur.

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