

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 143

S. P. 360

In Senate, Feb. 7, 1929.

Tabled by Senator Slocum of Cumberland pending reference and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Martin of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to the Powers of the State Highway Police.

Whereas, the state highway police have been effective in the enforcement of all the penal laws of the state; and

Whereas, such state highway police have been withdrawn from active enforcement of the laws save those pertaining to motor vehicles; and

Whereas, there is reasonable apprehension on the part of citizens of Maine lest criminals from other states enter Maine for the purpose of committing offences against our laws, using such means and force as they see fit, even to the taking of life; and

Whereas, if this act is obliged to take its regular course

of awaiting ninety days after the adjournment of the legislature there might result depredations of serious consequence to lives and property; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state 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:

Section 1. Section two of chapter one hundred forty-four
2 of the public laws of nineteen hundred and twenty-five is
3 hereby amended by striking out in the seventh, eighth and
4 ninth lines thereof the following: "The chief and members
5 of the state highway police shall have the same power to
6 serve criminal processes against such offenders as sheriffs"
7 and inserting in place thereof the following: 'In addition
8 to such duties and powers, the chief and the members of
9 the state highway police hereby are vested with the same
10 powers which sheriffs have to serve criminal processes, to
11 investigate and prosecute violators of any law of this state
12 and to arrest the offenders thereof,' so that said section, as
13 amended, shall read as follows:

'Sect. 2. The specific duties of the state highway police
2 shall be to patrol the state highways and other important
3 ways, especially outside the compact portion of cities and
4 towns, for the purpose of enforcing the provisions of this
5 act and all laws relating to motor driven and horse drawn

6 vehicles and all rules and regulations in regard thereto, and
7 of arresting all violators thereof and prosecuting all offend-
8 ers against the same. In addition to said duties and powers,
9 the chief and the members of the state highway police here-
10 by are vested with the same powers which sheriffs have to
11 serve criminal processes, to investigate and prosecute vio-
12 lators of any law of this state and to arrest the offenders
13 thereof, and also the same power as sheriffs have to arrest
14 without warrant and detain persons found violating or at-
15 tempting to violate any other penal law of the state until
16 a legal warrant can be obtained. They shall immediately
17 report by telephone or other expeditious means to the proper
18 authorities all information and complaints by them received
19 concerning the commission of any crime, and shall have the
20 same rights as sheriffs to require aid in executing the duties
21 of their office. They may serve subpoenas, notices and
22 processes issued by the secretary of state or the state high-
23 way commission under authority of this act or chapter two
24 hundred and eleven of the public laws of nineteen hundred
25 and twenty-one and acts amendatory thereof. They shall
26 also at all times be subject to the call of the governor for
27 emergency purposes at his discretion.

‘The state highway police, sheriffs and deputy sheriffs,
2 constables, city marshals and police officers of cities and
3 towns shall so far as possible cooperate in the detection of
4 crime, the arrest and prosecution of criminals, and the pre-
5 servation of law and order throughout the state.’

Sect. 2. In view of the emergency cited in the preamble,
2 this act shall take effect when approved and action is taken
3 by the special election provided for.