

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY-FOURTH LEGISLATURE

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Senate Document

No. 365

S. P. 674

In Senate, March 20, 1929.

The President laid before the Senate and on motion by Senator Littlefield of York report ordered printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Martin of Kennebec.

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STATE OF MAINE

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

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

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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Whereas, such state highway police have been withdrawn from active enforcement of the laws save those pertaining to motor vehicles; and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 the citizens of Maine lest criminals from other states enter Maine for the purpose of committing offenses 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-  
2 four of the public laws of nineteen hundred and twenty-five  
3 is hereby amended by striking out in the seventh, eighth  
4 and ninth lines thereof the following: "The chief and mem-  
5 bers of the state highway police shall have the same power  
6 to serve criminal processes against such offenders as sher-  
7 iffs" and inserting in place thereof the following: 'In addi-  
8 tion to such duties and powers, the chief and members of  
9 the state highway police hereby are vested with the same  
10 powers and duties throughout the several counties of the  
11 state as deputy sheriffs have in their respective counties to  
12 serve criminal processes, to investigate and prosecute viola-  
13 tors of any law of this state and to arrest the offenders  
14 thereof,' and by adding after the word "duties" in the first  
15 line of said section the words 'and powers,' and by adding  
16 after the word "power" in the ninth line in said section the  
17 words 'and duty,' so that said section as amended shall read  
18 as follows:

'Sect. 2. The specific powers and duties of the state highway police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the provisions of this act and all laws relating to motor driven and horse drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators thereof and prosecuting all offenders against the same. In addition to said duties and powers, the chief and the members of the state highway police hereby are vested with the same powers and duties throughout the several counties of the state as deputy sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this state and to arrest the offenders thereof, and also the same power and duty as sheriffs have 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. They shall immediately report by telephone or other expeditious means to the proper authorities all information and complaints by them received concerning the commission of any crime, and shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve subpoenas, notices and processes issued by the secretary of state or the state highway commission under authority of this act or chapter two hundred and eleven of the public laws of nineteen hundred and twenty-one and acts amendatory thereof. They shall also

28 at all times be subject to the call of the governor for  
29 emergency purposes at his discretion.

The state highway police, sheriffs and deputy sheriffs, con-  
2 stables, city marshals and police officers of cities and towns  
3 shall so far as possible cooperate in the detection of crime,  
4 the arrest and prosecution of criminals, and the preservation  
5 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.