

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1248

H. P. 1981

House of Representatives, January 14, 1942.

Referred to Committee on Judiciary and 750 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Mills of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-TWO

AN ACT Relating to Jurisdiction of Certain Law Enforcement Officers.

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires 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:

Sec. 1. Emergency powers of certain officers. Whenever, during a state of war between the United States of America and any other nation the governor, the chief of the state police or the sheriff of any county may require the services of the sheriff of any county, his deputy or deputies, or the constables or police officers and firemen of any town or city for the enforcement of law and maintenance of order beyond the jurisdiction of such officer, the governor, or the chief of state police or any sheriff may request such services beyond the jurisdiction of such officer from his regularly constituted superior officer and such request may be complied with. Said

sheriff, deputy, constable, police officer or fireman may exercise the same authority which he possesses in his regularly constituted jurisdiction for the maintenance of law and order, but not for the service of civil process, in such other jurisdiction to which he may have been called.

Sec. 2. Compensation, pension and disability. Officers serving in jurisdictions beyond that to which they are regularly appointed or elected to serve pursuant to the provision of section 1 shall not lose or thereby jeopardize any rights which they may have to pensions or disability payments by reason of such service in the event of injury or disability. Such officers shall be compensated for their services by the county or municipality to which they are called.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.