

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 316

H. P. 831

House of Representatives, February 3, 1949.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Gates of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Powers of Baxter State Park Authority.

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

R. S., c. 32, §§ 31-A - 31-D, additional. Chapter 32 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 31-A to 31-D, to read as follows:

Sec. 31-A. Rules and regulations; violation of; penalties. The Baxter State Park authority may from time to time establish such rules and regulations as it deems necessary for the protection and preservation of said park and of the monuments or structures thereon, for the protection and safety of the public, and for the proper observance of the conditions and restrictions expressed in the deeds of trust of the park to the state. Before promulgating the same, they shall be submitted to the attorney-general, and if he shall certify that in his opinion they are in conformity with the law, they shall thereupon, together with paragraphs 2 and 3 of this section, be published once a week for 2 successive weeks in a newspaper published and printed in whole or in part in either Penobscot county or Piscataquis county, and posted in at least 4 places on said park, whereupon they shall take effect. A certificate of such publication and posting shall be executed by a majority of the members of said park authority and filed with the secretary of state, who shall record the same.

Whoever violates any of the rules and regulations of said park authority, promulgated in conformity with the provisions of this section, shall be punished by a fine of not more than \$50 and costs, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Whoever wilfully mutilates, defaces or destroys any structure, monument or marker lawfully erected within the boundaries of said park, or any notice, rule or regulation of said park authority, posted in conformity with the provisions of this section, shall be punished by a fine of not more than \$50 and costs, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Sec. 31-B. Police supervision; power to arrest. Said authority shall exercise police supervision over Baxter State Park. The agents or representatives of the Baxter State Park authority, designated for that purpose by said park authority are authorized and empowered to arrest with or without warrant any person within the state who is committing, or to detain, until a warrant has been obtained, any person within the state who has been seen by said agents or representatives committing any offense against the state laws, or any violation of any rule or regulation of the Baxter State Park authority within said park, but no dwelling-house shall be searched for the purpose of such arrest without a warrant, and then only in the day time, and no sealed railroad car shall be entered for the purpose of such arrest without such warrant.

Sec. 31-C. Jurisdiction. Trial justices and municipal courts within their counties shall have original and concurrent jurisdiction with the superior court in all prosecutions under any provision of sections 31-A to 31-D, inclusive. Any person arrested as a violator of said sections may be taken before any trial justice or any municipal court in the county where the offense was committed, or in any adjoining county. Jurisdiction in such cases is hereby granted to all trial justices and all other courts to be exercised in the same manner as if the offense had been committed in that county.

Sec. 31-D. Limitation. The powers and duties of the Baxter State Park authority shall not be so construed as to interfere or conflict in any way with the powers and duties of the Maine state park commission, department of inland fisheries and game or the forestry department and their duly appointed wardens, and the enforcement of the inland fisheries and game and forestry laws in respect to Baxter State Park or to the state generally.