

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-682)

HOUSE AMENDMENT "A"^{to}/S.P. 552, L.D. 1882, Bill, "AN
ACT to Continue the Division of Special Investigations within
the Department of Public Safety."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'Sec. 1. 25 MRSA §2911 and §2912 are enacted to read:

§ 2911. Division of Special Investigations

The Commissioner of Public Safety shall establish and maintain
a Division of Special Investigations within the Department of
Public Safety. The primary duties of the division shall be to
investigate violations of all drug control laws of the State
and related criminal activity, with special emphasis on laws
prohibiting sale or trafficking in hard drugs, and to arrest
offenders thereof, and to assist all federal, state, county and
municipal law enforcement agencies in their efforts to enforce
the drug control laws.

§ 2912. Commissioner of Public Safety

1. Duties. The Commissioner of Public Safety shall
have the following duties: Assist the division in coordinating
the efforts of the enforcement of drug control laws and the
investigation of related criminal activity; provide guidelines

for the use of sworn police personnel assigned to the division by state, municipal and county law enforcement agencies; act in an advisory capacity to the division on all matters pertaining to illegal drug and related criminal activity throughout the State; provide operational guidance to the division; provide guidelines for the establishment of a centralized intelligence sharing system relative to the extent of such a system and the extent to which information in such a system shall be disseminated; participate directly in the selection of the director and deputy director and the reappointment of same; and establish rules and regulations for the operation of the board in order to effectively carry out its functions.

2. Commissioner of Public Safety; additional powers. The Commissioner of Public Safety shall exercise overall administrative and operational supervision of the division; employ, carry out the functions of the divisions; lease, rent or acquire adequate facilities at a location or locations to conduct the division's activities; accept any federal funds or grants that may be available to carry out or implement the activities of the division; accept the services of sworn police personnel from any governmental jurisdiction in accordance with the guidelines promulgated by the commissioner and reimburse law enforcement agencies for special compensation to sworn police personnel assigned to the division as designated by the board.

↑ All sworn police personnel assigned to the Division of Special Investigations shall have the same powers throughout the several counties of the State as sheriffs have in their respective counties to investigate and prosecute violators of any law of this State and to arrest offenders thereof, and the same powers and duties as sheriffs have to arrest without warrant and to detain persons found violating or attempting to violate any other penal law of the State until a legal warrant can be obtained.

The commissioner is prohibited in contracting with or accepting the services of commercially based private detective agencies in carrying out the functions of the division.

A. All duly-sworn police personnel, while assigned to duty with the division, shall work under the direction and control of the director and pursuant to the purposes of the division.

B. Such duly-sworn police personnel, while assigned to the division, shall be considered to be on "special assignment" by their respective employing police agencies and shall retain all privileges and protection, including, but not limited to, insurance, pension, sick leave and holiday benefits normally accorded such personnel while on duty with their respective police agencies.

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C. The sworn police personnel temporarily assigned to the division may be relieved of duty with the division at any time by the Commissioner of Public Safety.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Public Safety the sum of \$350, 172 to carry out the purposes of this Act. The breakdown shall be as follows:

	<u>1977-78</u>	<u>1978-79</u>
PUBLIC SAFETY, DEPARTMENT OF		
Division of Special Investigations		
Personal Services	(3) \$ 36,172	(3) \$ 50,629
All Other	114,000	129,371
Capital Expenditures		20,000
Total	<u>\$150,172</u>	<u>\$200,000</u>

Statement of Fact

This amendment places sole responsibility for the Division of Special Investigation with the Commissioner of Public Safety.

Filed by Mr. Joyce of Portland.

Reproduced and distributed under the direction of the Clerk of the House.
6/16/77

(Filing No. H-682)