

# MAINE STATE LEGISLATURE

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L.D. 2166

(Filing No. S- 340)

STATE OF MAINE  
SENATE  
113TH LEGISLATURE  
SECOND REGULAR SESSION

7 COMMITTEE AMENDMENT " A " to S.P. 832, L.D. 2166,  
8 Bill, "AN ACT to Clarify the Status of Police Officers  
9 Assigned to the Bureau of Intergovernmental Drug  
10 Enforcement and to Add a District Attorney to the  
11 Bureau's Policy Board."

12 Amend the Bill in section 8 in the part designated  
13 "\$2955." in subsection 4 by adding at the end a new  
14 paragraph as follows:

15 'Any person employed as a senior agent or special  
16 agent investigator within the Maine State Police may  
17 be temporarily assigned to the bureau. During such  
18 temporary assignment, the Maine State Police shall  
19 retain the positions of senior agent and special agent  
20 investigator.'

21 Amend the Bill by inserting at the end before the  
22 emergency clause the following:

23 'Sec. 9. 25 MRSA §2956, sub-§1 as enacted by PL  
24 1987, c. 411, §5 is amended as follows:

25 1. Rules. Notwithstanding any other provisions  
26 of law, the The commissioner may adopt rules as to  
27 policies and practices in accordance with the Maine  
28 Administrative Procedures Act, Title 5, chapter 375,  
29 practices and policies respecting the administration

COMMITTEE AMENDMENT " A " to S.P. 832, L.D. 2166

1 of the bureau. The rules, practices and policies of  
2 the bureau shall be in conformity with state law and  
3 with the advice, consultation and direction provided  
4 by the board and shall accomplish the goal of an  
5 integrated drug enforcement effort. These rules,  
6 practices and policies may include:

7 A. The qualifications, hiring, term of service  
8 and disciplinary standards for supervisors and  
9 agents;

10 B. Protection as to financial and employment  
11 security for any law enforcement officer selected  
12 as any official of the bureau with respect to the  
13 person's position with any municipal, county or  
14 state law enforcement policy or political  
15 subdivision;

16 C. Standard operating procedures for the bureau;

17 D. Procurement procedures; or

18 E. Procedures for dissemination of records.'

19 STATEMENT OF FACT

20 This amendment protects the employment rights of  
21 those employees occupying the positions of senior  
22 agent and special agent investigator in the Bureau of  
23 State Police. If they are temporarily assigned to the  
24 new Intergovernmental Drug Enforcement Bureau and that  
25 assignment should end, then this amendment ensures  
26 that they could return to their former positions  
27 within the Bureau of State Police.

28 The amendment also removes the requirement that  
29 the Commissioner of Public Safety always adopt rules,  
30 practices and policies affecting the bureau in  
31 accordance with the Maine Revised Statutes, Maine  
32 Administrative Procedure Act, Title 5, chapter 375,  
33 and substitute the requirement that the commissioner  
34 adopt them in accordance with the applicable state law.

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Page 2-LR5019

Reported by Senator Gould for the Committee on State  
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