

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 472, L.D. 637, Bill, "An Act to Improve Personnel Supervision in the Bureau of Intergovernmental Drug Enforcement"

Amend the bill in section 3 by striking out all of subsection 4 and inserting in its place the following:

'4. Task force investigative agents. The investigative complement of each task force shall be comprised of task force investigative agents ~~who shall~~. Agents may be selected from municipal, county and state law enforcement agencies within the State and other state agencies, provided the prospective agent has been certified pursuant to section 2803, subsection 1; or may be other experienced law enforcement officers, provided each has been certified pursuant to section 2803, subsection 1. Agents shall be selected and appointed at the discretion of the director with the concurrence of the commissioner from among those ~~officers~~ persons nominated by the chief administrative officer of a prospective agent's employing agency and other experienced law enforcement officers who apply. Agents shall serve at the pleasure of the director. Agents shall receive compensation, paid from the budget of the bureau, equivalent to that of a detective in the Maine State Police ~~assigned to the Drug Enforcement Unit,~~ with respect to both regular and overtime compensation with the additional credit given to seniority based upon law enforcement experience. ~~All personnel~~ If the person selected as agents, whether from a an agent is currently an employee of any municipal or county or state law enforcement agency, or any other state agency, the person shall be placed on a temporary assignment by the person's employing agency. An agent shall report directly to the task force supervisor, notwithstanding any existing command structure of the person's employing agency. Notwithstanding any other provisions of law, the person shall retain and continue to accrue seniority and retirement rights and benefits within the person's employing agency for the time in which the person serves as an agent.

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

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

| | 1989-90 | 1990-91 |
|--|------------------|------------------|
| PUBLIC SAFETY, DEPARTMENT OF | | |
| Bureau of Intergovernmental Drug Enforcement | | |
| Positions | (2) | (2) |
| Personal Services | \$ 82,551 | \$110,068 |
| All Other | 11,786 | 12,356 |
| Capital Expenditures | 36,292 | |
| Provides funds to establish 2 regional commander positions, upgrade an assistant director position and for general operating expenses. | | |
| DEPARTMENT OF PUBLIC SAFETY | | |
| TOTAL | <u>\$130,629</u> | <u>\$122,424</u> |

FISCAL NOTE

Enactment of this legislation would result in a General Fund appropriation to the Department of Public Safety in the amount of \$130,629 for fiscal year 1989-90 and \$122,424 for fiscal year 1990-91. This appropriation would provide funds to establish 2 regional commander positions, upgrade an assistant director position and provides funds for general operating expenses to carry out the purpose of this Act. Also, this particular appropriation is included in L.D. 640, the Part II budget bill. Therefore, this bill could be amended to delete this appropriation section, depending on its status in L.D. 640.'

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STATEMENT OF FACT

This amendment allows the Director of the Bureau of Intergovernmental Drug Enforcement to employ experienced law enforcement officers as investigative agents notwithstanding the fact that they are not currently employed by a municipal, county or state agency, provided they have been certified by the Maine Criminal Justice Academy. The amendment also adds fiscal information and an appropriation section.

Reported by the Committee on Legal Affairs
Reproduced and distributed under the direction of the Clerk of the House
5/4/89 (Filing No. H-147)