

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1648

H.P. 1123

House of Representatives, April 24, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative DUFFY of Bangor.

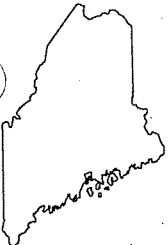
Cosponsored by Representative JACQUES of Waterville and Representative RUHLIN of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

Resolve, to Study the Structure of Law Enforcement in the State.

(EMERGENCY)



2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **Whereas,** the study proposed by this resolve must be
completed in time for a report to be submitted to the Second
Regular Session of the 115th Legislature and therefore it is
8 essential that this study be initiated as soon as possible; and

10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
12 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
14 safety; now, therefore, be it

16 **Sec. 1. Commission established. Resolved:** That the Commission
to Study the Structure of Law Enforcement in the State is
18 established; and be it further

20 **Sec. 2. Commission membership. Resolved:** That the commission
consists of the following 8 members: three members of the House
22 of Representatives to be appointed jointly by the President of
the Senate and the Speaker of the House of Representatives; 2
24 members of the Senate to be appointed jointly by the President of
the Senate and the Speaker of the House of Representatives; the
26 Commissioner of Public Safety or the commissioner's designee; one
sheriff appointed by the Governor; and one local law enforcement
28 chief appointed by the Governor; and be it further

30 **Sec. 3. Appointments; meetings. Resolved:** That all
appointments must be made no later than 30 days following the
32 effective date of this resolve. The Executive Director of the
Legislative Council shall be notified by all appointing
34 authorities once the selections have been made. When the
appointment of all members has been completed the Chair of the
36 Legislative Council shall call and convene the first meeting of
the commission no later than July 15, 1991. The commission shall
38 select a chair from among its members; and be it further

40 **Sec. 4. Duties. Resolved:** That the commission shall study the
present structure of law enforcement throughout the State. The
42 study must focus on ways to reduce the overlapping of law
enforcement patrols to enable the maximization of law enforcement
44 personnel. In examining this issue, the commission may:

- 46 1. Meet at convenient times and places within Augusta;
- 48 2. Hold informational sessions for discussions with
knowledgeable persons;

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2 3. Conduct, tabulate and analyze the results of a survey of
the public or affected persons and groups;

4 4. Procure and analyze relevant data;

6 5. Conduct legal research and prepare opinions on legal
8 questions within the scope of the study; and

10 6. Determine and summarize the legislative actions or
12 governmental programs undertaken in other jurisdictions related
to the issue within the scope of the study; and be it further

14 **Sec. 5. Staff assistance. Resolved:** That the commission shall
16 request staffing assistance from the Legislative Council; and be
it further

18 **Sec. 6. Reimbursement. Resolved:** That the members of the
commission who are Legislators are entitled to receive the
20 legislative per diem, as defined in the Maine Revised Statutes,
Title 3, section 2, for each day's attendance of commission
22 hearings; and be it further

24 **Sec. 7. Report. Resolved:** That the commission shall submit
its report, together with any necessary implementing legislation
26 to the Second Regular Session of the 115th Legislature no later
than November 1, 1991; and be it further

28 **Sec. 8. Appropriation. Resolved:** That the following funds are
30 appropriated from the General Fund to carry out the purposes of
this resolve.

32 1991-92

34 **LEGISLATURE**

36 **Commission to Study the Structure
of Law Enforcement in the State**

38	Personal Services	\$1,375
40	All Other	1,500

42 Provides funding for the Commission to Study
44 the Structure of Law Enforcement in the
State, including per diem and expenses for
46 legislative members, printing costs and
other meeting expenses.

48 **LEGISLATURE**
50 **TOTAL**

\$2,875

52 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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STATEMENT OF FACT

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This resolve establishes the Commission to Study the Structure of Law Enforcement in the State. The commission is required to hold its first meeting by July 15, 1991 and to report its findings to the Second Regular Session of the 115th

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Legislature by November 1, 1991.