

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2148

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H.P. 1526

House of Representatives, January 20, 1998

**An Act to Grant the Joint Standing Committee Having Jurisdiction over Criminal Matters the Authority to Review the Appointments of the Commissioner of Public Safety and the Chief of the State Police.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative POVICH of Ellsworth.  
Cosponsored by Senator MURRAY of Penobscot and  
Representatives: BUNKER of Kossuth Township, FRECHETTE of Biddeford, JONES of  
Greenville, McALEVEY of Waterboro, MUSE of South Portland, PEAVEY of Woolwich,  
WHEELER of Bridgewater, Senator: MITCHELL of Penobscot.

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

4 **Sec. 1. 25 MRSA §1501, first ¶**, as amended by PL 1975, c. 771,  
§261, is further amended to read:

6 The Commissioner of Public Safety, with the advice and  
consent of the Governor and subject to review by the ~~Joint~~  
8 ~~Standing-Committee-on-State-Government~~ joint standing committee  
of the Legislature having jurisdiction over criminal justice  
10 matters and to confirmation by the Legislature, shall appoint a  
Chief of the State Police, as heretofore appointed, to serve for  
12 a term of 4 years unless removed for cause. ~~Such~~ The appointment  
shall must be made from the commissioned officer ranks of the  
14 State Police. ~~He~~ The Chief of the State Police may be removed by  
impeachment or by the Governor on the address of both branches of  
16 the Legislature.

18 **Sec. 2. 25 MRSA §2901**, as repealed and replaced by PL 1993,  
c. 349, §54, is amended to read:

20 **§2901. Department; commissioner**

22 There is created and established the Department of Public  
24 Safety to coordinate and efficiently manage the law enforcement  
and public safety responsibilities of the State, to consist of  
26 the Commissioner of Public Safety, in this chapter called  
"commissioner," who is appointed by the Governor, subject to  
28 review by the joint standing committee of the Legislature having  
jurisdiction over ~~state--and--local--government~~ criminal justice  
30 matters and to confirmation by the Legislature, to serve at the  
pleasure of the Governor, and the following: the Bureau of State  
32 Police, the Bureau of Liquor Enforcement, the Office of the State  
Fire Marshal, the Maine Criminal Justice Academy, the Maine  
34 Highway Safety Commission, the Bureau of Highway Safety and the  
Maine Drug Enforcement Agency.

36  
38 **SUMMARY**

40 This bill transfers the authority to review appointments of  
the Commissioner of Public Safety and the Chief of the State  
42 Police from the Joint Standing Committee on State and Local  
Government to the Joint Standing Committee on Criminal Justice,  
44 which is consistent with the jurisdiction of the Joint Standing  
Committee on Criminal Justice over public safety matters.