

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
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ONE HUNDRED AND FOURTEENTH LEGISLATURE
1989

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

Whereas, certain technical corrections to laws enacted by the 114th Legislature and signed by the Governor need to take effect prior to the expiration of the 90-day period; and

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

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

Sec. 1. 22 MRSA §7108, 3rd ¶, as amended by PL 1989, c. 330, §2, is further amended to read:

Membership shall include representatives of non-governmental organizations or groups and of public agencies concerned with prevention and treatment of alcoholism, alcohol abuse, drug abuse and drug dependence. At least 2 members of the council shall be current members of the Legislature, consisting of one member from the House of Representatives appointed by the Speaker of the House of Representatives to serve at the Speaker's pleasure and one member from the Senate appointed by the President of the Senate to serve at the President's pleasure. Two of the private citizen members shall be between the ages of 16 and 21. At least 2 members shall be officials of public or private nonprofit community level agencies who are actively engaged in drug abuse prevention or treatment in public or private nonprofit community agencies. One of the private citizen members shall be the President or the President's designee of the National Council on Alcoholism in Maine, Incorporated. Membership shall include the executive directors or the executive directors' designees of the 5 regional alcohol and drug abuse councils located throughout the State. Membership may also include, but not be limited to, representatives of professions such as law, law enforcement, medicine, pharmacy, the insurance industry, businesses with employee assistance programs and teaching. Membership shall also include at least 2 representatives of public education, 2 representatives from the field of mental health and mental retardation, 2 representatives from the field of corrections and criminal justice and 2 representatives from the field of social services. Appointments to the council shall be made so as to insure that at least 6 members shall be persons affected by or recovered from alcoholism, chronic intoxication, drug abuse or drug dependency, having evidenced a minimum of 3 years of sobriety or abstention from drug abuse.

Sec. 2. PL 1989, c. 276 is amended by inserting at the end an emergency clause to read:

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Sec. 3. Retroactivity. Section 2 of this Act shall take effect retroactively to June 13, 1989.

Sec. 4. Effective date. Section 1 of this Act shall take effect 90 days after adjournment.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, unless otherwise indicated.

Effective July 1, 1989, unless otherwise indicated.

CHAPTER 520

H.P. 293 - L.D. 405

An Act Regarding the Employment of 15-year-olds in Public Accommodations for Lodging

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

Sec. 1. 26 MRSA §773, as amended by PL 1987, c. 665, §1, is further amended by adding at the end a new paragraph to read:

Notwithstanding this section, minors who are 15 years of age or older may be employed in kitchens, dining rooms, lobbies and offices of public accommodations for lodging during the period from June 15th to Labor Day.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
LABOR, DEPARTMENT OF		
Regulation and Enforcement		
Personal Services	\$2,150	\$1,468
All Other	13,850	250
Provides funds for a part-time clerical position and printing and mailing costs of a labor law poster.		
DEPARTMENT OF LABOR		
TOTAL	<u>\$16,000</u>	<u>\$1,718</u>

See title page for effective date.

CHAPTER 521

S.P. 431 - L.D. 1142

An Act Concerning Law Enforcement Training

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

Sec. 1. 25 MRSA §2801, last ¶, as amended by PL 1977, c. 701, §1, is further amended to read:

The purpose of the Maine Criminal Justice Academy shall be to provide a central training facility for all law enforcement and corrections personnel of in the State and also for criminal justice personnel. The academy shall serve to promote the highest levels of professional law enforcement performance and to facilitate coordination and cooperation between various law enforcement and criminal justice agencies.

Sec. 2. 25 MRSA §§2801-A and 2801-B are enacted to read:

§2801-A. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

1. Board. "Board" means the Board of Trustees of the Maine Criminal Justice Academy.

2. Corrections officer. "Corrections officer" means:

A. For state agencies, the following class titles and their successor titles:

- (1) Training School Counselor I and II;
- (2) Training School Counselor Supervisor;
- (3) Corrections Officer I, II and III;
- (4) Guard;
- (5) Guard Sergeant;
- (6) Guard Lieutenant; and
- (7) Guard Captain; and

B. For county, municipal and other agencies subject to this chapter, a person who is defined as a corrections officer as defined by the Maine Criminal Justice Academy.

3. Full-time corrections officer. "Full-time corrections officer" means a person who is employed as a corrections officer with a reasonable expectation of earning at least \$10,000 in any one calendar or fiscal year for performing corrections officer duties.

4. Full-time law enforcement officer. "Full-time law enforcement officer" means a person who is employed as a law enforcement officer with a reasonable expectation of earning at least \$10,000 in any one calendar or fiscal year for performing law enforcement officer duties.

5. Law enforcement officer. "Law enforcement officer" means any person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders, to make arrests for crimes, whether

that duty extends to all crimes or is limited to specific crimes, to perform probation functions or to perform intensive supervision functions. As used in this chapter, the term does not include federal law enforcement officers or attorneys prosecuting for the State.

§2801-B. Application of chapter; exemption

1. Exemption. The training standards and requirements of this chapter do not apply to the persons defined by this chapter as law enforcement officers who are:

A. Employees of the Department of Corrections, Division of Probation and Parole;

B. Agents or representatives of the Department of Conservation, Bureau of Parks and Recreation, whose law enforcement powers are limited to those specified in Title 12, section 602, subsection 5;

C. Agents or representatives of the Department of Conservation, Bureau of Forestry, whose law enforcement powers are limited to those specified by Title 12, section 8901, subsection 3; or

D. Security officers employed by the Department of Public Safety whose law enforcement powers are limited to those specified in section 2908.

2. Education and training required. The directors of the state agencies listed in subsection 1 shall provide adequate education and training for all law enforcement officers within their jurisdiction. The board shall advise the directors concerning appropriate and adequate training.

Sec. 3. 25 MRSA §2803, as amended by PL 1987, c. 737, Pt. C, §§69 and 106, is repealed.

Sec. 4. 25 MRSA §2803-A is enacted to read:

§2803-A. Powers and duties of the board of trustees

The board has the following powers and duties:

1. Training and certification of all law enforcement officers in State. In accordance with this chapter, to establish training and certification standards for all law enforcement officers. Certification shall be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance;

2. Admission standards and certification requirements; curriculum. In accordance with the requirements of this chapter, to establish standards for admission to the board-approved courses, taking into account state hiring standards and procedures applicable to all state departments; set requirements for board-approved courses; prescribe curriculum; and certify both graduates of the board-approved courses and persons for whom the board has waived the training requirements of this chapter. The board may not set standards for admission to the board-approved courses until July 1, 1990, for persons required to be trained

under Title 30, section 6210, subsection 4, which standards are higher than those in force on September 23, 1983;

3. Certification of police chiefs. To certify and set standards for certification of police chiefs;

4. Training and certification of sheriffs. To establish training programs for sheriffs within the curriculum, set their requirements for graduation from the academy and certify sheriffs who graduate;

5. Training and certification of corrections personnel. In accordance with the requirements of this chapter, to approve training programs for corrections officers, including prescription of curriculum and setting of standards for graduation from those approved programs and certification of persons graduating from the basic training course prescribed in this chapter. Certification shall be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance;

6. Training and certification of State Police enlisted personnel. With the approval of the Chief of the State Police, to establish core curriculum training requirements for enlisted personnel of the State Police for graduation from the academy. The board shall certify State Police enlisted personnel who meet the core curriculum training requirements.

7. Training of harbor masters. To establish suitable training programs for harbor masters authorized to make arrests under Title 38, chapter 1, subchapter I, relevant to their duties as harbor masters;

8. Training and certification in court procedures. To establish certification standards and a program to certify law enforcement officers as being familiar with current court procedures. This program shall include:

A. Sufficient instruction in the basic training courses approved by the board under this chapter to satisfy certification standards upon successful completion of the course;

B. A method by which law enforcement officers whose basic training course did not contain the instruction required by paragraph A may satisfy the certification standards; and

C. A requirement that in-service training programs required under section 2804-E include instruction on current court procedures;

9. Other training programs. To establish, within the limits of funds available and with the approval of the commissioner, additional training programs considered to be beneficial to law enforcement officers, corrections officers and criminal justice personnel;

10. Establish fees. To establish, with the approval of the commissioner, reasonable fees for attendance to defray at least part of the operation costs of the academy;

11. Formulate a budget. To formulate a budget for the academy, which shall be presented to the commissioner for approval and inclusion in the budget of the Department of Public Safety;

12. Accept funds and grants. With the approval of the commissioner, to accept such federal funds or grants as may be available to carry out the purposes of the academy;

13. Acquire facilities. With the approval of the commissioner, to lease, rent or acquire adequate facilities to conduct the academy's training programs;

14. Certification of instructors. To certify and set standards for certification of law enforcement and criminal justice instructors to be used in all academy preservice, basic and in-service training programs as required by the board of trustees and over which the board has statutory control;

15. Revocation or suspension of certification. To revoke or suspend a certificate issued under section 2806; and

16. Provide assistance and materials. To provide to municipal and county corrections officers and municipal and county law enforcement officers any assistance or instructional materials the board deems necessary to fulfill the purposes of this chapter and Title 30-A, sections 381 and 2671.

Sec. 5. 25 MRSA §§2804-B to 2804-F are enacted to read:

§2804-B. Preservice law enforcement training

1. Required. A person shall not serve as a law enforcement officer with the power to make arrests or the authority to carry a firearm in the course of duty until certified by the board as satisfying all preservice training requirements.

2. Preservice training standards. The board shall establish standards for preservice training certification which are equivalent to the 100-hour reserve officer training course as of November 1, 1988. In establishing the standards, the board shall consider the use of apprenticeship with a certified, experienced officer, to be followed by an examination given by the board, as an alternative to part or all of the preservice training course leading to preservice certification. In establishing the standards, the board shall cooperate with the State and local departments and agencies to which the preservice standards apply to ensure that the standards are appropriate.

3. Certification. The board shall certify each person who meets the preservice training standards as eligible to serve as a law enforcement officer with the power to make arrests and the authority to carry a firearm in the course of duty, subject to additional certification as required by this chapter.

4. Course. The board shall provide a training course, the successful completion of which must meet the preservice

training standards. In developing and delivering the training course, the board shall consider the use of telecommunications technology. The board may work with post-secondary and other institutions within the State to deliver the preservice training course throughout the State as often as reasonable demand requires.

5. Agency sponsorship. The board shall evaluate the use of law enforcement agency sponsorship, screening of preservice training applicants and students and the availability of preservice training before employment.

6. Completion of basic law enforcement training sufficient. The board shall certify law enforcement officers who successfully complete basic law enforcement training under section 2804-C before being empowered to make arrests or given the authority to carry a firearm in the course of duty as having satisfied the preservice training standards.

7. Reserve and other part-time law enforcement officers. The board shall certify law enforcement officers who successfully complete preservice law enforcement training as reserve or part-time law enforcement officers. The board shall maintain a roster of all currently certified reserve or part-time law enforcement officers. The roster shall be available for inspection by the public at the academy during regular working hours.

8. Application to currently certified law enforcement officers. This section does not apply to any law enforcement officer certified as meeting the law enforcement training requirements or to any full-time law enforcement officer employed by a state agency, including the University of Maine System, as of July 1, 1990.

§2804-C. Basic law enforcement training; core curriculum requirements

1. Required. As a condition to the continued employment of any person, as a full-time law enforcement officer by a municipality, a county, the State or other nonfederal employer, that person must successfully complete, within the first 12 months of employment, a basic training course approved by the board. The board, under extenuating and emergency circumstances in individual cases, may extend that period for not more than 90 days. In addition, the board may waive in individual cases the basic training requirement when the facts indicate that an equivalent course has been successfully completed. This section does not apply to any person employed as a full-time law enforcement officer by a municipality on September 23, 1971, or by a county on July 1, 1972.

2. Core curriculum requirements. The board shall establish core curriculum requirements which must be satisfied by each law enforcement officer within 12 months of assuming law enforcement duties including the power to make arrests or the authority to carry a firearm in the course of duty. The board shall base the core curriculum requirements on the necessary knowledge, training and skills common to all law enforcement officers in this State. In establishing the requirements, the board shall cooperate with the State and local departments and agencies to which the

preservice requirements apply to ensure that the standards are appropriate.

3. Certification. The board shall certify each law enforcement officer who meets the core curriculum training requirements.

4. Courses. The board shall provide a training course, the successful completion of which meets core curriculum requirements. The board shall provide a basic training course designed primarily for municipal and county law enforcement officers.

5. Application to currently certified law enforcement officers. This section does not apply to any law enforcement officer certified as meeting the law enforcement training requirements or to any full-time law enforcement officer employed by a state agency, including the University of Maine System, as of July 1, 1990.

§2804-D. Basic corrections training

1. Required. As a condition to the continued employment of any person as a full-time corrections officer by a municipality, county, the State or other nonfederal employer, that person must successfully complete, within the first 12 months of employment, a basic training course of not less than 80 hours as approved by the board. The board, in individual cases, may waive basic training requirements when the facts indicate that an equivalent course has been successfully completed in another state or federal jurisdiction within the last 2 years. This section applies to any person employed as a full-time corrections officer on or after July 6, 1978. Administrators of facilities where there are corrections officers who are not full-time are encouraged to develop an orientation program for those persons.

§2804-E. In-service law enforcement training

1. Required. As a condition to the continued employment of any person as a law enforcement officer with the power to make arrests or the authority to carry a firearm in the course of duty by a municipality, county, the State or other nonfederal employer, that person must successfully complete a minimum number of hours of in-service training as prescribed by the board.

2. Role of board. The board shall establish in-service training requirements, coordinate delivery of in-service training with post-secondary schools and other institutions and law enforcement agencies and administer in-service training programs. The in-service training requirements shall include information on new laws and court decisions and on new enforcement practices demonstrated to reduce crime or increase officer safety. The board shall consider and encourage the use of telecommunications technology in the development and delivery of in-service training programs. In establishing the requirements, the board shall cooperate with the State and local departments and agencies to which the in-service requirements apply to ensure that the standards are appropriate.

3. Additional certificates. The board may offer additional certificates to be awarded for completion of additional education, experience and certified board-approved training.

§2804-F. In-service corrections training

1. Required. As a condition to the continued employment of any person as a full-time corrections officer by a municipality, county, the State or other nonfederal employer, that person shall successfully complete in-service training as prescribed by the board.

2. Role of board. The board shall establish in-service training requirements, coordinate delivery of in-service training with post-secondary and other institutions and corrections agencies and administer in-service training programs. The in-service training requirements shall include information on new laws and court decisions. The board shall consider and encourage the use of telecommunications technology in the development and delivery of in-service training programs. In establishing the requirements, the board shall cooperate with the State and local departments and agencies to which the in-service requirements apply to ensure that the standards are appropriate.

3. Provisions of in-service training. In-service training programs which meet the requirements established under subsection 2, may be provided by the Maine Criminal Justice Academy or the agency employing the corrections officer.

Sec. 6. 25 MRSA §2805, as amended by PL 1985, c. 155, §4, is repealed.

Sec. 7. 25 MRSA §2805-A, as amended by PL 1985, c. 155, §5, is repealed.

Sec. 8. 25 MRSA §2805-B is enacted to read:

§2805-B. Employment and training records

1. Annual report and records. Within 30 days of the close of each calendar year, the highest elected official of each political subdivision and the head of each state department and agency employing law enforcement or corrections officers subject to this chapter shall provide the board with a list of the names and dates of employment of all law enforcement and corrections officers covered by this chapter. The official or department or agency head shall maintain records regarding the basic and in-service training of law enforcement and corrections officers as provided in sections 2804-C to 2804-F.

2. New officers. Whenever a law enforcement officer or a full-time corrections officer is newly appointed, the official or department or agency head shall send notice of appointment within 30 days to the board on a form provided for that purpose. The form shall be deemed an application for admission to the training program or for other certification as required by this chapter.

Sec. 9. 25 MRSA §2806, sub-§1, as repealed and replaced by PL 1983, c. 244, §6, is amended to read:

1. Suspension or revocation. The board of trustees:

A. May suspend the right to enforce the criminal laws of the State or to act as a corrections officer of any person found in violation of section ~~2805, subsection 1~~ 2804-B, 2804-C or 2804-D;

B. May suspend or revoke the certificate issued pursuant to former section 2803, 2805 or 2805-A, or section 2803-A, 2804-B, 2804-C or 2804-D of any person who:

- (1) Has been found guilty of murder or any Class A, Class B or Class C crime;
- (2) Has been found guilty of any crime in this or another jurisdiction for which the maximum term of imprisonment prescribed by law exceeds one year; or
- (3) Has been found guilty of any crime in this or another jurisdiction for which the maximum term of imprisonment prescribed by law is not less than 6 months and which involves moral turpitude; and

C. Shall investigate a complaint, on its own motion or otherwise, regarding the failure of a law enforcement or corrections officer to comply with the requirements of section ~~2805, subsection 3 or 2804-E or 2804-F,~~ and any rules promulgated pursuant ~~thereto~~ adopted under those sections. The board may, upon notice, conduct an informal conference with the officer. If the board finds that the factual basis of the complaint is true and that further action is warranted, it may take the following action:

- (1) Enter into a consent agreement with the officer, which agreement may contain provisions to ~~insure~~ ensure compliance, including voluntary surrender of the certificate and terms and conditions of recertification; or
- (2) Refer the complaint to the Attorney General for action in the Administrative Court.

Sec. 10. 25 MRSA §2806, sub-§4-A, as enacted by PL 1979, c. 261, §7, is amended to read:

4-A. Injunction. In the event of any continued violation of section ~~2805~~ 2804-B, 2804-C, 2804-D, 2804-E or 2804-F subsequent to a final decision by the board of trustees or judicial review by the Superior Court, the Attorney General may institute injunction proceedings to enjoin that continued violation.

Sec. 11. 25 MRSA §2808, sub-§1, ¶B, as enacted by PL 1985, c. 506, Pt. A, §50, is amended to read:

B. "Training" means the ~~initial preservice and~~ basic training provided to part-time or full-time law enforcement officers by the Maine Criminal Justice Academy, as described in ~~former~~ section 2805, subsection 1, and section 2805-A, or sections 2804-B and 2804-C.

Sec. 12. 25 MRSA §2808, sub-§2, as enacted by PL 1985, c. 506, Pt. A, §50, is amended to read:

2. Reimbursement for training costs. Whenever a law enforcement officer, trained at the Maine Criminal Justice Academy on or after September 1, 1983, but before September 1, 1989, while on the payroll of a particular governmental entity, is subsequently hired by another governmental entity within 3 years of ~~his~~ the officer's graduation from the academy, the governmental entity shall reimburse the first governmental entity according to the following formula.

A. If the officer is hired by the other governmental entity during the first year after ~~his~~ graduation, that governmental entity shall reimburse the first governmental entity the full cost of the training costs.

B. If the officer is hired by the other governmental entity during the 2nd year after ~~his~~ graduation, that governmental entity shall reimburse the first governmental entity 2/3 of the training costs.

C. If the officer is hired by the other governmental entity during the 3rd year after ~~his~~ graduation, that governmental entity shall reimburse the first governmental entity 1/3 of the training costs.

D. If the officer graduated more than 3 years before subsequently being hired by the other governmental entity, the governmental entity shall not be obligated to reimburse the first governmental entity.

If the officer is subsequently hired by additional governmental entities within 3 years of ~~his~~ graduation from the academy, each of those governmental entities shall be liable to the governmental employer immediately preceding it for the training costs paid by that governmental entity under this subsection. The extent of financial liability shall be determined according to the formula established by this subsection.

Reimbursement shall not be required when the trained officer hired by a governmental entity had ~~his~~ employment with a prior governmental entity terminated at the discretion of the governmental entity.

Sec. 13. 25 MRSA §2808, sub-§3 is enacted to read:

3. Reimbursement for training costs after September 1, 1989. Whenever a law enforcement officer, trained at the Maine Criminal Justice Academy on or after September

1, 1989, while on the payroll of a particular governmental entity, is subsequently hired by another governmental entity within 5 years of graduation from the academy, the governmental entity shall reimburse the first governmental entity according to the following formula.

A. If the officer is hired by the other governmental entity during the first year after graduation, that governmental entity shall reimburse the first governmental entity the full cost of the training costs.

B. If the officer is hired by the other governmental entity during the 2nd year after graduation, that governmental entity shall reimburse the first governmental entity 80% of the training costs.

C. If the officer is hired by the other governmental entity during the 3rd year after graduation, that governmental entity shall reimburse the first governmental entity 60% of the training costs.

D. If the officer is hired by the other governmental entity during the 4th year after graduation, that governmental entity shall reimburse the first governmental entity 40% of the training costs.

E. If the officer is hired by the other governmental entity during the 5th year after graduation, that governmental entity shall reimburse the first governmental entity 20% of the training costs.

F. If the officer graduated more than 5 years before subsequently being hired by the other governmental entity, that governmental entity shall not be obligated to reimburse the first governmental entity.

If the officer is subsequently hired by additional governmental entities within 5 years of graduation from the academy, each of those governmental entities shall be liable to the governmental employer immediately preceding it for the training costs paid by that governmental entity under this subsection. The extent of financial liability shall be determined according to the formula established by this subsection.

Reimbursement shall not be required when the trained officer hired by a governmental entity has had employment with a prior governmental entity terminated at the discretion of the governmental entity.

Sec. 14. 25 MRSA §2809 is enacted to read:

§2809. Report to Legislature

Beginning January 1, 1991, the board shall report annually to the joint standing committee of the Legislature having jurisdiction over legal affairs on the implementation and effectiveness of this chapter. The purpose of the report is to provide the Legislature annual information on the law governing law enforcement training in order to ensure that appropriate and timely training is accomplished. The report must include the following:

1. Availability of training. An evaluation of the availability of preservice, basic and in-service training throughout the State. The evaluation must cover whether any municipalities operated without adequate law enforcement officers with the power to make arrests because training was not available in a timely manner;

2. In-service training requirements. An explanation of in-service training requirements for law enforcement and corrections officers, including any changes in the requirements and a discussion of the adequacy of the requirements;

3. In-service training courses. An evaluation of available board-approved in-service training courses for law enforcement and corrections officers and the participation level in each;

4. Training for exempt law enforcement officers. An explanation and evaluation of the training provided by the state agencies for their law enforcement officers who are exempt from the requirements of this chapter under section 2801-B; and

5. Other information. Any other information the Legislature may request or the board determines is appropriate.

Sec. 15. 34-A MRSA §5404, sub-§2, as amended by PL 1989, c. 127, §14, is further amended to read:

2. Arrest. Arrest, after completing the entry level and orientation training course prescribed by the director, in the following circumstances:

- A. Arrest and return probation and parole violators upon request of the chief administrative officer of a correctional facility;
- B. Arrest and return to a correctional facility persons released from the correctional facility under section 3035; and
- C. If the officer has probable cause to believe that a person under the supervision of the Division of Probation and Parole has violated a condition of that person's probation or parole or intensive supervision, the officer may arrest that person.

Sec. 16. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

CONSERVATION, DEPARTMENT OF

Division of Forest Fire Control

All Other	\$35,000
Provides funds for the law enforcement training of the department's forest rangers.	

Parks - General Operations

All Other	\$17,600
Provides funds for the training of the department's law enforcement related park managers.	

DEPARTMENT OF CONSERVATION
TOTAL \$52,600

Sec. 17. Effective date. Sections 2 to 11, 14 and 15 of this Act shall take effect July 1, 1990.

See title page for effective date, unless otherwise indicated.

CHAPTER 522

H.P. 472 - L.D. 637

An Act to Improve Personnel Supervision in the Bureau of Intergovernmental Drug Enforcement

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

Sec. 1. 25 MRSA §2955, sub-§2, as amended by PL 1987, c. 666, §8, is further amended to read:

2. Assistant director. The director of the bureau shall be assisted by an assistant director. The assistant director must be an experienced law enforcement officer and may exercise any of the powers of the director as the director may delegate. The assistant director shall be appointed by and serve at the pleasure of the commissioner acting upon the recommendation of the board.

Eligibility for the selection shall not be dependent upon the parent law enforcement agency, if any, of the person selected. The assistant director shall be compensated in a manner equivalent to that of ~~other assistant bureau directors within the Department of Public Safety~~ a captain in the State Police, with respect to both regular and overtime compensation. If the person selected is currently an employee of any state, county or local law enforcement agency, the person shall be placed on a temporary assignment by the person's employing agency. The assistant director shall report directly to the director, notwithstanding any existing command structure of the person's employing agency. Notwithstanding any other provision 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 assistant director.

Sec. 2. 25 MRSA §2955, sub-§2-A is enacted to read:

2-A. Regional commanders. There shall be 2 regional commanders within the bureau who may exercise any powers the director may delegate. Each regional commander must be an experienced law enforcement officer appointed by the director with the concurrence of the commissioner and shall serve at the pleasure of the director. The appoint-