

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

pursuant to a support order issued by a court or by the Department of Human Services.

See title page for effective date.

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## CHAPTER 42

H.P. 121 - L.D. 145

### **An Act to Allow Independent Investigation of a Complaint against a Law Enforcement or Corrections Officer upon Request**

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

**Sec. 1. 25 MRSA §2805-C, sub-§1**, as enacted by PL 1993, c. 744, §11, is amended to read:

**1. Committee.** The chair of the board shall appoint 3 members of the board to serve on the complaint review committee. One of the members must be one of the citizen members of the board. All members of the committee must be present for deliberations. A majority vote is necessary to recommend taking corrective or disciplinary action on a complaint or to order an independent investigation pursuant to section 2806, subsection 1-A.

**Sec. 2. 25 MRSA §2806, sub-§1-A**, as amended by PL 1993, c. 744, §13, is further amended to read:

**1-A. Investigation and notice of complaints.** Before proceeding with a hearing to suspend or revoke a law enforcement or corrections officer's certification under subsection 1, paragraph B, subparagraph (2), (4) or (6), the board shall notify the chief administrative officer of the agency employing the officer that the board is contemplating suspension or revocation of the officer's certification. The chief administrative officer shall investigate the alleged conduct and report its findings to the board within 30 days of receiving notice of the board's contemplation of suspension or revocation. The board shall proceed with any suspension or revocation action it determines appropriate after receiving the chief administrative officer's report. This subsection does not preclude a chief administrative officer from investigating conduct that may give rise to grounds for suspension or revocation before receiving a request for an investigation from the board, provided that the chief administrative officer notifies the board following that investigation if the investigation reveals reasonable cause to believe that an officer has engaged in conduct described in subsection 1, paragraph B, subparagraph (2), (4) or (6). Nothing in this subsection precludes the board from investigating conduct of a law enforcement officer on its own or referring a matter of such

conduct to another agency for investigation. Whenever a chief administrative officer of an agency employing an officer has a duty to investigate alleged conduct of an officer or has the authority to investigate alleged conduct of an officer pursuant to this subsection, and the chief administrative officer decides to investigate, the chief administrative officer or the officer who is the subject of the investigation may petition the complaint review committee of the board for an independent investigation by the Department of the Attorney General or another agency approved by the board.

See title page for effective date.

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## CHAPTER 43

H.P. 78 - L.D. 103

### **An Act to Make Legislative Information Available through the Internet**

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

**Sec. 1. 3 MRSA §162, sub-§17**, as amended by PL 1991, c. 622, Pt. L, §2, is further amended to read:

**17. Approve plans to preserve and develop the State House and the immediate grounds.** To approve architectural, aesthetic and decorative alterations to the State House. The Legislative Council also has authority to preserve and develop the aesthetic and historical integrity of the State House and the immediate grounds. The Legislative Council has the power to enter into contracts and other powers necessary to implement this subsection and chapter 31; ~~and~~

**Sec. 2. 3 MRSA §162, sub-§18**, as enacted by PL 1991, c. 622, Pt. L, §3, is amended to read:

**18. Out-of-state travel report.** To submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Legislature. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip; and

**Sec. 3. 3 MRSA §162, sub-§19** is enacted to read:

**19. Legislative information available through the Internet.** To make the following information available through the Internet: legislative documents,