

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

Initiative: Allocates funds to relect the transfer of the Emergency Services Communication Bureau from the Department of Public Safety.

Other Special Revenue Funds	2003-04	2004-05
Positions - Legislative Count	(5,000)	(5,000)
Personal Services	\$294,298	\$395,048
All Other	5,469,689	7,304,161
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Other Special Revenue Funds Total	\$5,763,987	\$7,699,209

**PUBLIC UTILITIES COMMISSION
DEPARTMENT TOTALS**

OTHER SPECIAL REVENUE FUNDS	2003-04	2004-05
	\$5,763,987	\$7,699,209
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DEPARTMENT TOTAL - ALL FUNDS	\$5,763,987	\$7,699,209

SECTION TOTALS	2003-04	2004-05
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
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SECTION TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

CHAPTER 360

S.P. 481 - L.D. 1449

An Act Regarding the State Police Command Staff

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

Sec. 1. 25 MRSA §1501, as amended by PL 1997, c. 657, §1, is further amended to read:

§1501. Chief; deputy; members of force; rules and regulations

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

The Chief of the State Police ~~shall be~~ is the executive head of the Bureau of State Police, as heretofore established, and shall execute the duties of ~~his~~ the

office under the direction and subject to the approval of the Commissioner of Public Safety. In the absence of the Commissioner of Public Safety, the Chief of the State Police shall assume the duties and ~~shall have~~ has the authority of the commissioner, except that ~~he shall have~~ the Chief of the State Police has no authority to change any general rules and regulations unless ~~he~~ the Chief of the State Police is serving in the capacity of acting commissioner as a result of the death, removal, extended leave of absence or resignation of the commissioner.

Subject to the approval of the Commissioner of Public Safety, the chief may appoint ~~2~~ one commissioned ~~officers~~ officer of the State Police to act as the chief's ~~deputies~~ deputy and 2 commissioned officers of the State Police to act as the chief's majors, all of whom serve at the pleasure of the chief. Subject to the Civil Service Law, the Chief of the State Police may enlist suitable persons as members of the State Police to enforce the law and employ such other employees as may be necessary. The Chief of the State Police shall make rules, subject to the approval of the State Civil Service Appeals Board, for the discipline and control of the State Police. If a deputy chief or major is removed or fails to be reappointed for any reason other than malfeasance of office and, at that time, does not have at least ~~20 years~~ the number of years of creditable service with the State Police necessary for a service retirement benefit pursuant to Title 5, section 17851, subsection 4, the deputy chief or major must be reinstated at the commissioned rank held at the time of the appointment with all the rights and privileges as provided by law and personnel rules.

It is the intent of the Legislature that the Governor may in ~~his~~ the Governor's discretion appoint the same person to serve as Commissioner of Public Safety and Chief of the Maine State Police. In this event, the ~~Governor shall appoint the~~ Chief of the State Police ~~shall be appointed by the Governor,~~ subject to review by the ~~Joint Standing Committee on State Government~~ joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and to confirmation by the Legislature, to serve at the pleasure of the Governor. Such appointment may be made from the commissioned officer membership of the State Police. In the event that the Commissioner of Public Safety and the Chief of the State Police are the same person, the commissioner ~~shall~~ may receive only the salary designated for the Commissioner of Public Safety.

See title page for effective date.