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**An Act Establishing That the Commissioner of
Public Safety Is a Law Enforcement Officer If the
Commissioner Is Certified as a Law Enforcement Officer**

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

Sec. 1. 25 MRSA §2801-A, sub-§5, as amended by PL 2013, c. 147, §5, is further amended to read:

5. Law enforcement officer. "Law enforcement officer" means a person who by virtue of public employment is vested by law with the power to make arrests for crimes or serve criminal process, whether that power extends to all crimes or is limited to specific crimes, and who possesses a current and valid certificate issued by the board pursuant to section 2803-A. As used in this chapter, "law enforcement officer" does not include federal law enforcement officers or attorneys prosecuting for the State. The Commissioner of Public Safety is a law enforcement officer if the commissioner is certified as a law enforcement officer under sections 2804-B and 2804-C and remains in compliance with section 2804-E, subsection 1.

Sec. 2. 25 MRSA §2801-B, sub-§1, ¶K, as corrected by RR 2005, c. 1, §9, is amended to read:

K. A contract officer appointed by the Commissioner of Public Safety pursuant to Title 28-A, section 82-A; or

Sec. 3. 25 MRSA §2801-B, sub-§1, ¶L, as reallocated by RR 2005, c. 1, §10, is amended to read:

L. A transport officer; or

Sec. 4. 25 MRSA §2801-B, sub-§1, ¶M is enacted to read:

M. The Commissioner of Public Safety.

SUMMARY

This bill amends the definition of "law enforcement officer" in the laws governing the Maine Criminal Justice Academy to establish that the Commissioner of Public Safety is a law enforcement officer in the employ of the Department of Public Safety if the commissioner is certified as a law enforcement officer and completes in-service training in order to maintain that certification. The bill also exempts the commissioner from certain training standards and policy development requirements.