

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
SECOND REGULAR SESSION

(Filing No. H-1057)

COMMITTEE AMENDMENT "A" to H.P. 2039, L.D. 2104, Bill, "AN ACT to Establish Training Requirements for Corrections Officers."

Amend the bill in section 3 by striking out in the next to the last line (last line in LD) the following: "admission to and"

Further amend the bill in section 5 by striking out in the underlined first/sentence the following: "6 months" and inserting in its place the following: '12 months'

Further amend the bill in section 5 by striking out in the underlined 4th/sentence the following: "6-months' " and inserting in its place the following: '12-months' '

Further amend the bill in section 5-A by inserting at the underlined end the following/sentence: 'Corrections officer' shall mean as follows:

- (1) For state agencies, the following class titles and their successor titles: Training School Counselor Counselor I and II; Training School/Supervisor; Corrections Officer I, II and III; Guard; Guard Sergeant; Guard Lieutenant and Guard Captain; and
- (2) For county, municipal and other agencies subject to this chapter, the Maine Criminal Justice Academy shall define the term "corrections officer."

Further amend the bill by striking out all of section 6.

Further amend the bill in section 7 by striking out in the 8th line (6th line in LD) the following:

'police' and inserting in its place the following: '~~police~~'

Further amend the bill in section 8 by striking out all of underlined the last/sentence and inserting in its place the following:

'The in-service training for corrections officers shall be for no less than 20 hours per year for each year of employment succeeding the initial training.'

Further amend the bill by striking out all of section 9 and inserting in its place the following:

'Sec. 9. 25 MRSA §2805, sub-§4, as enacted by PL 1973, c. 672, §3, is repealed and the following enacted in its place:

4. Employment list. Within 30 days of the close of each calendar year, the highest elected official of each political sub-division and the head of each state department and agency employing corrections officers subject to this chapter shall provide the academy board of trustees with a list of the names and dates of employment of all full-time law enforcement and corrections officers department and agency head covered by this section. The official/shall further maintain records regarding the basic and in-service training of corrections officers, as provided for in subsections 1 and 3.

Further amend the bill in section 12 by striking out all
(6th in LD)
of the 7th line/and inserting in its place the following:

'Unallocated \$69,523'

Further amend the bill by inserting after section 12 the following:

'Sec. 13. Transition clause. It is the intent of the Legislature not to duplicate training efforts and to concentrate funds appropriated by this Act on correctional institutions and situations within institutions most lacking in corrections officer training. Therefore, in administering this Act for persons who are corrections officers at state and county institutions on the effective date of this Act, the Criminal Justice Academy shall liberally apply this Act's waiver of training requirements when an approximately equivalent course has been completed. In particular, this liberal application shall be done with respect to those officers who have completed the approximately equivalent courses which have been offered by the Criminal Justice Academy or by the Maine State Prison.

Effective date.

Sec. 14./ Section 7 of this Act shall become effective on July 1, 1979.'

Further amend the bill by renumbering the sections to read consecutively.

Statement of Fact

The purposes of this amendment are to:

1. Delete from the bill new authority for the ^{Maine} Criminal Justice Academy to set standards for admissions to approved training programs for corrections officers (Section 3);
2. Increase from the first 6 to the first 12 months of employment, the period within which a corrections officer shall complete an approved course of training (Section 5);
3. Change the method of defining corrections officer by:
 - A. Defining it by statute as the first 3 class titles at ^{Maine} the 3 affected state institutions ^{Maine} /Youth Center, /Correctional ^{State} Center and /Prison;) and
 - B. Permitting the trustees of the academy to define it for county and other agencies subject to the Act (Section 5-A);
4. Change the in-service training requirement from 40 to 20 hours, consistent with federal regulations (Section 8);
← and clarify that this requirement shall apply only to corrections officers, that the training may be offered by an agency other than a "police" agency, and that the requirement shall have an effective date of July 1, 1979 (Sections 7, 8 and 14);
5. Extend record keeping and information provision requirements to include the heads of state agencies subject to the Act (Section 9);

6. Clarify that it is the intent of the Legislature to "grandfather" (i.e., extend the waiver of training requirement) to persons who are corrections officers on the effective date of the Act and who have completed training programs approximately equivalent to those required by the Act. This will "grandfather:" (a) most of the affected staff at the State Prison where a 2 - 4 week training program has been offered to all new guards for a number of years, and (b) about 80% of affected county corrections officers, the bulk of whom have been trained by programs at the Maine Criminal Justice Academy (Section 13); and

7. Increase the appropriation from \$54,000 to \$69,523, to reflect new cost information available to the committee (Section 12).

Reported by the Committee on State Government.

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