

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1582

H.P. 1139

House of Representatives, May 9, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MAYO of Thomaston.

Cosponsored by Representative MELENDY of Rockland, Representative PAUL of Sanford and Senator BUSTIN of Kennebec.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act Regarding Qualifications of Sheriffs.

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

3 30-A MRSA §371, as enacted by PL 1987, c. 737, Pt. A, §2  
5 and Pt. C, §106, and as amended by PL 1989, cc. 6 and 9, is  
repealed and the following enacted in its place:

7 §371. Election or appointment

9 1. Office of sheriff. Sheriffs shall be elected or  
11 appointed and shall hold their offices according to the  
13 Constitution of Maine. Their election shall be conducted and  
determined as is provided for county commissioners. They shall  
take office on the first day of January following their election.

15 2. Eligibility. On or after January 1, 1990, except as  
17 otherwise provided in this chapter, no person is eligible to be a  
candidate for sheriff and no person may be elected or appointed  
sheriff unless that person:

19 A. Is a citizen of the United States;

21 B. Has been awarded a high school diploma or a recognized  
23 equivalent of a high school diploma;

25 C. Has at least one year of actual experience in law  
27 enforcement duties, or has training in criminal justice or  
law enforcement from an accredited college or university or  
29 from the Maine Criminal Justice Academy, or possesses a  
master's degree in a relevant subject area from an  
31 accredited college or university;

33 D. Has been fingerprinted and has been the subject of a  
search of local, state and national fingerprint files to  
35 disclose any criminal record. Fingerprints shall be taken  
under the direction of a justice of the Superior Court of  
37 the county in which the person seeks to become a candidate  
for or to be appointed sheriff, which judge, prior to the  
39 applicable qualification date, shall notify the board of  
county commissioners of the results of the fingerprint  
search;

41 E. Has not been convicted of or pleaded guilty to a felony  
43 or any offense involving moral turpitude under the laws of  
this State or any other state or the United States of  
45 America; and

47 F. Has sworn or stated under the penalties of perjury,  
49 before a justice of the Superior Court of the county in  
which the person seeks to become a candidate for or be  
51 appointed sheriff, that the information the person provides  
to verify the person's qualifications for the office is true  
53 to the best of that person's information and belief.

