

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1107

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H.P. 790

House of Representatives, March 30, 1995

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**An Act to Establish Minimum Qualifications for the Office of Sheriff.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BUNKER of Kossuth Township.  
Cosponsored by Representatives: GOOLEY of Farmington, McALEVEY of Waterboro,  
WHEELER of Bridgewater.

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

4 **Sec. 1. 30-A MRSA §371**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is repealed.

6 **Sec. 2. 30-A MRSA §371-A** is enacted to read:

8 **§371-A. Election or appointment; minimum qualifications**

10 **1. Manner of election or appointment.** Sheriffs are elected  
12 or appointed and hold their offices according to the Constitution  
14 of Maine. Their election must be conducted and determined as is  
provided for county commissioners. Sheriffs take office on the  
first day of January following their election.

16 **2. Minimum qualifications for officers.** A person may not  
18 be appointed to the office of sheriff or be a candidate for  
election to the office of sheriff or serve as sheriff of any  
20 county in the State unless the candidate meets the following  
qualifications:

22 **A. The candidate attests to the Law Enforcement Code of  
Ethics;**

24 **B. The candidate applies to the Secretary of State for a  
26 criminal background investigation to confirm that the  
candidate has no felony convictions; and**

28 **C. The candidate submits written certification from the  
30 Maine Criminal Justice Academy that the candidate has  
acquired the minimum college credits in required courses,  
32 training hours and years of experience, or combination  
thereof, to qualify for an executive certificate under  
34 academy standards.**

36 **3. Exception.** Any person who is serving in the office of  
38 sheriff on the effective date of this section is deemed to meet  
the minimum qualifications of subsection 2.

40 **STATEMENT OF FACT**

42  
44 This bill establishes minimum qualifications for candidates  
for election or appointment to the office of county sheriff.  
46 These requirements are consistent with standards set by the Maine  
Criminal Justice Academy for certification as a law enforcement  
48 executive. Persons serving in the office of sheriff on the  
effective date of enactment would be "grandfathered," or deemed  
to meet these minimum qualifications.