

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

---

Legislative Document

No. 467

---

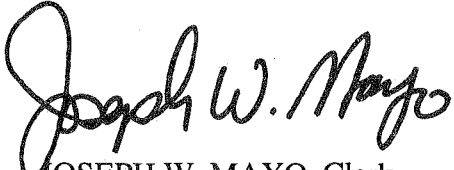
H.P. 345

House of Representatives, January 23, 1997

**An Act to Allow Individuals to Participate in Training at the Criminal Justice Academy.**

---

Reference to the Committee on Criminal Justice suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative STANLEY of Medway.  
Cosponsored by Senator MICHAUD of Penobscot and  
Representatives: BAGLEY of Machias, CLARK of Millinocket, COWGER of Hallowell,  
JONES of Greenville, O'NEIL of Saco, WRIGHT of Berwick.

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

2  
3       **Sec. 1. 25 MRSA §2803-A, sub-§1**, as amended by PL 1993, c.  
4 744, §2, is further amended to read:

6       **1. Training and certification of all law enforcement**  
7 **officers in State.** In accordance with this chapter, to establish  
8 training and certification standards for all law enforcement  
9 officers, set requirements for board-approved courses, prescribe  
10 curriculum and certify both graduates of board-approved courses  
11 and persons for whom the board has waived the training  
12 requirements of this chapter. Certification must be based on the  
13 ~~officer's~~ person's demonstration of having acquired specific  
14 knowledge and skills directly related to job performance.

16 No later than March 1, 1995, the board shall design joint  
17 training and certification standards combining into a single  
18 basic training course the present State Police course and the  
19 basic municipal and county course. The joint training course  
20 must equal or exceed any curriculum training requirements of the  
21 State Police effective on December 31, 1994. The board shall  
22 report its recommendations and the necessary implementing  
23 legislation for a basic training course to the Legislature by  
24 April 1, 1995. The Legislature must approve the associated costs  
25 of the joint training course before it may be implemented.

26  
27 Until joint training and certification standards are implemented  
28 pursuant to this subsection, the Chief of the State Police shall  
29 approve the basic training requirements for enlisted personnel of  
30 the State Police for graduation from the academy. The board  
31 shall certify State Police enlisted personnel who meet the  
32 approved basic training requirements;

34       **Sec. 2. 25 MRSA §2803-A, sub-§8**, as enacted by PL 1989, c.  
35 521, §§4 and 17, is amended to read:

36  
37       **8. Training and certification in court procedures.** To  
38 establish certification standards and a program to certify law  
39 ~~enforcement--officers~~ graduates as being familiar with current  
40 court procedures. This program shall ~~shall~~ must include:

42       A. Sufficient instruction in the basic training courses  
43 approved by the board under this chapter to satisfy  
44 certification standards upon successful completion of the  
45 course;

46  
47       B. A method by which law enforcement officers whose basic  
48 training course did not contain the instruction required by  
49 paragraph A may satisfy the certification standards; and

2 C. A requirement that in-service training programs required  
4 under section 2804-E include instruction on current court  
procedures;

6 **Sec. 3. 25 MRSA §2804-B, sub-§§1, 5 and 6**, as enacted by PL  
1989, c. 521, §§5 and 17, are amended to read:

8  
10 **1. Required.** A person shall may not serve as a law  
12 enforcement officer with the power to make arrests or the  
14 authority to carry a firearm in the course of duty until  
16 certified by the board as satisfying all preservice training  
requirements. After January 1, 1998, municipal and county law  
enforcement agencies may not hire any person who has not already  
completed preservice training and either been certified or become  
eligible for certification by the board.

18 **5. Agency sponsorship.** The board shall evaluate the use of  
20 law enforcement agency sponsorship, screening of preservice  
22 training applicants and students and the availability of  
preservice training before employment. The board may not refuse  
to admit an applicant solely on the ground that the applicant is  
not sponsored by a law enforcement agency.

24 **6. Completion of basic law enforcement training  
26 sufficient.** The board shall certify ~~law--enforcement--officers~~  
28 persons who successfully complete basic law enforcement training  
under section 2804-C before being hired by a municipal or county  
law enforcement agency, empowered to make arrests or given the  
30 authority to carry a firearm in the course of duty as having  
satisfied the preservice training standards.

32 **Sec. 4. 25 MRSA §2804-B, sub-§7**, as amended by PL 1993, c.  
34 551, §1, is further amended to read:

36 **7. Reserve and other part-time law enforcement officers.**  
The board shall certify reserve and part-time law enforcement  
38 officers who successfully complete preservice law enforcement  
training ~~as--reserve--or--part-time--law--enforcement--officers.~~  
40 Thereafter, as a condition of continued service as a reserve or  
part-time law enforcement officer, the officer must  
42 satisfactorily maintain the preservice certification. The board  
shall maintain a roster of all currently certified reserve or  
44 part-time law enforcement officers. The roster must be available  
for inspection by the public at the academy during regular  
46 working hours.

48 **Sec. 5. 25 MRSA §2804-C, sub-§2-A**, as enacted by PL 1993, c.  
774, §6, is amended to read:

2           **2-A. Probationary employment period.** Upon being hired, a  
4 law enforcement officer shall complete an employment probationary  
6 period that lasts for at least one year after the later of the  
date of hire, the date of graduation from the academy or the date  
the board waives the basic training requirement.

8           **Sec. 6. 25 MRSA §2804-C, sub-§3,** as enacted by PL 1989, c.  
10 521, §§5 and 17, is amended to read:

12           **3. Certification.** The board shall certify each law  
14 ~~enforcement-officer~~ person who meets the core curriculum training  
16 requirements.

18           **Sec. 7. 25 MRSA §2808, sub-§1, ¶B,** as amended by PL 1989, c.  
20 521, §§11 and 17, is further amended to read:

22           B. "Training" means the preservice and basic training  
24 provided ~~to part-time or full-time law enforcement officers~~  
26 by the Maine Criminal Justice Academy, as described in  
28 former section 2805, subsection 1, and section 2805-A, or  
30 sections 2804-B and 2804-C.

32           **Sec. 8. 25 MRSA §2808, sub-§4** is enacted to read:

34           **4. Training costs for individuals not employed by law**  
36 **enforcement agency.** A person who is not on the payroll of a  
38 particular governmental entity while attending the Maine Criminal  
40 Justice Academy must pay the full cost of the tuition and fees  
42 charged by the academy. A law enforcement agency that  
subsequently hires the person may, but is not required to,  
provide reimbursement.

## SUMMARY

38           This bill is designed to eliminate the cost to municipal and  
40 county law enforcement agencies of sending new officers to the  
42 Maine Criminal Justice Academy. It would preclude those agencies  
from hiring, after January 1, 1998, anyone who has not already  
attended the academy. The bill would require persons attending  
the academy while not on the payroll of a law enforcement agency  
to pay all costs associated with attending.