

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

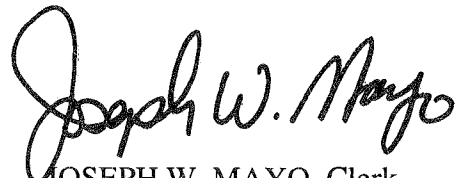
No. 834

H.P. 609

House of Representatives, February 6, 1997

An Act to Amend the Qualifications for the Office of Sheriff.

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


JOSEPH W. MAYO, Clerk

Presented by Representative MUSE of South Portland.
Cosponsored by Representative FISHER of Brewer, Senator: JENKINS of Androscoggin.

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

4 **Sec. 1. 30-A MRSA §371-B is enacted to read:**

6 **§371-B. Selection; qualifications**

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

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

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

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

38 **C. The candidate is a certified law enforcement officer or
40 a certified corrections officer.**

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

SUMMARY

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