



## **119th MAINE LEGISLATURE**

## **FIRST REGULAR SESSION-1999**

Legislative Document

No. 637

S.P. 215

In Senate, January 26, 1999

An Act to Amend the Law Enforcement Officer Certification Standards.

Submitted by the Department of Public Safety pursuant to Joint Rule 204. Reference to the Committee on Criminal Justice suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MURRAY of Penobscot. Cosponsored by Representative McALEVEY of Waterboro and Representative: MUSE of South Portland.

Be it enacted by the People of the State of Maine as follows: 2 Sec. 1. 25 MRSA §2801-A, sub-§4, as enacted by PL 1989, c. 521,  $\S$  and 17, is repealed. 4 Sec. 2. 25 MRSA §2804-B, sub-§2, as amended by PL 1993, c. 6 630, Pt. B,  $\S5$ , is further amended to read: 8 2. Preservice training standards. The board shall establish standards for preservice training certification that 10 are-equivalent-to-the-100-hour-reserve officer-training-course-as ef-November-1,-1988. In establishing the standards, the board 12 shall consider the use of a registered apprenticeship with a certified, experienced officer, to be followed by an examination 14 given by the board, as an alternative to part or all of the preservice training course leading to preservice certification. 16 In establishing the standards, the board shall cooperate with the State and local departments and agencies to which the preservice 18 standards apply to ensure that the standards are appropriate. 20 Sec. 3. 25 MRSA §2804-B, sub-§3, as amended by PL 1997, c. 22 395, Pt. O,  $\S3$ , is further amended to read: 24 3. Certification. The board shall certify each person who meets the preservice training standards as eligible to serve as a law enforcement officer with the power to make arrests and the 26 authority to carry a firearm in the course of duty,-subject-te 28 annual--recertification--training--as--prescribed--by--the--board. Thereafter, as a condition of continued service as a law enforcement officer, the officer must satisfactorily maintain the 30 preservice certification by meeting board standards for annual 32 certification. Sec. 4. 25 MRSA §2804-B, sub-§7, as amended by PL 1993, c. 34 551,  $\S1$ , is further amended to read: 36 7. Roster. The -- board -- shall -- cortify -- law -- enforcement 38 efficers--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----enfergement----officer,----the----officer----must satisfactorily-maintain-the-preservice-certification. The board 42 shall maintain a roster of all currently certified reserve or part-time law enforcement officers. The roster must be available 44 for inspection by the public at the academy during regular 46 working hours. Sec. 5. 25 MRSA §2804-C, sub-§1, as amended by PL 1997, c. 48 395, Pt. O,  $\S4$ , is further amended to read:

2 1. Required. As a condition to the continued employment of person as a full-time law enforcement officer by a any 4 municipality, a county, the State or any other nonfederal employer, that person must successfully complete,--within--the б first--12-months-of--employment,--a any basic training course required and approved by the board. Thereafter, as a condition 8 of continued employment as a full-time law enforcement officer, the officer must satisfactorily maintain the basic certification by completing the recertification requirements prescribed by the 10 The - board, - - under - extenuating - and - emergency - eireumstances board. in-individual-cases, - may extend -that-peried-for-not-more-than-90 12 days. The board alse, in individual cases, may waive the basic training requirement when the facts indicate that an equivalent 14 course has been successfully completed. This section does not apply to any person employed as a full-time law enforcement 16 officer by a municipality on September 23, 1971 or by a county on 18 July 1, 1972.

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Sec. 6. 25 MRSA §2804-E, sub-§1, as amended by PL 1997, c. 395, Pt. O, §5, is further amended to read:

 Required. As a condition to the continued employment of
a person as a law enforcement officer with the power to make arrests or the authority to carry a firearm in the course of duty
by a municipality, county, the State or other nonfederal employer, that person must successfully complete <u>a minimum number</u>
of training units of in-service recertification training as prescribed by the board.

**SUMMARY** 

34 The bill deletes references to training standards for part-time and full-time law enforcement officers approved by the 36 Board of Trustees of the Maine Criminal Justice Academy. This bill requires levels of certification to be based on the 38 officer's demonstration of having acquired specific knowledge and skills directly related to job performance rather than full-time 40 or part-time employment.