

MAINE STATE LEGISLATURE

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L D 42

2 Date 6/21/23

(Filing No S-392)

3 **CRIMINAL JUSTICE AND PUBLIC SAFETY**

4 Reproduced and distributed under the direction of the Secretary of the Senate

5 **STATE OF MAINE**

6 **SENATE**

7 **131ST LEGISLATURE**

8 **FIRST SPECIAL SESSION**

9 COMMITTEE AMENDMENT "A" to S P 34, L D 42, "An Act Regarding the
10 Commissioner of Corrections' Role in Death Benefit Determinations and Regarding
11 Training for Corrections Officers"

12 Amend the bill by striking out the title and substituting the following

13 '**An Act Regarding Training for Corrections Officers'**

14 Amend the bill by striking out everything after the enacting clause and inserting the
15 following

16 '**Sec. 1. 25 MRSA §2801-A, sub-§1-B** is enacted to read

17 **1-B. Adult corrections officer** "Adult corrections officer" means a person who is
18 responsible for the custody or direct supervision of a person confined in a county or
19 regional jail or state adult correctional facility pursuant to an order of a court or as a result
20 of an arrest and who possesses a current and valid certificate issued by the board pursuant
21 to section 2803-A, subsection 5

22 **Sec. 2. 25 MRSA §2801-A, sub-§2**, as amended by PL 2013, c 147, §5, is repealed
23 and the following enacted in its place

24 **2 Corrections officer.** "Corrections officer" means an adult corrections officer or
25 juvenile corrections officer

26 **Sec. 3. 25 MRSA §2801-A, sub-§2-B** is enacted to read

27 **2-B. Juvenile corrections officer** "Juvenile corrections officer" means a person who
28 is responsible for the custody or direct supervision of a person confined in a state juvenile
29 correctional facility pursuant to an order of a court or as a result of an arrest and who
30 possesses a current and valid certificate issued by the board pursuant to section 2803-A,
31 subsection 5-B

32 **Sec. 4. 25 MRSA §2803-A, sub-§5**, as amended by PL 2013, c 147, §8, is further
33 amended to read

COMMITTEE AMENDMENT

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5 Training and certification of adult corrections officers in State. In accordance with this chapter, to establish training and certification standards for all adult corrections officers, set requirements for board-approved courses, prescribe curriculum and certify graduates of board-approved courses and persons for whom the board has waived the training requirements of this chapter Certification must be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance, as a corrections officer who is responsible for the custody or direct supervision of persons confined in a county or regional jail or state adult correctional facility

A corrections officer who is certified and an employee of a county or regional jail or state adult correctional facility on the date the board establishes a separate basic training course and certification standards for juvenile corrections officers pursuant to subsection 5-B must be certified as an adult corrections officer pursuant to this subsection.

Sec. 5. 25 MRSA §2803-A, sub-§5-B is enacted to read

5-B. Training and certification of juvenile corrections officers in State In accordance with this chapter, to establish training and certification standards for all juvenile corrections officers, set requirements for board-approved courses, prescribe curriculum and certify graduates of board-approved courses and persons for whom the board has waived the training requirements of this chapter Certification must be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance as a corrections officer who is responsible for the custody or direct supervision of persons confined in a state juvenile correctional facility

A corrections officer who is certified and an employee of a state juvenile correctional facility on the date the board establishes a separate basic training course and certification standards for juvenile corrections officers pursuant to this subsection must be certified as a juvenile corrections officer pursuant to this subsection.

Sec. 6. 25 MRSA §2804-D, as amended by PL 2017, c 436, §1, is further amended to read

§2804-D. Basic corrections training

1 Required As a condition to the continued employment of any person as a corrections officer, that person must successfully complete, within the first 12 months of employment, a basic training course as approved by the board The board may approve a separate basic training course and certification standards for juvenile corrections officers Thereafter, as a condition of continued employment as a corrections officer, the officer must satisfactorily maintain the basic certification The board, under extenuating and emergency circumstances in individual cases, may extend the 12-month period for not more than 180 days The board, in individual cases, may waive basic training requirements when the facts indicate that an equivalent course has been successfully completed in another state or federal jurisdiction A full-time correctional trade instructor must meet the training requirements established under this subsection for corrections officers Beginning January 1, 2018, the basic training course must include 8 hours of training in how to identify, understand and respond to signs of mental illnesses and substance use disorder that is provided by a trainer who is certified by a nationally recognized organization that provides evidence-based mental health ~~first aid~~ training '

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment provides for the training and certification of adult corrections officers and juvenile corrections officers and provides that the Board of Trustees of the Maine Criminal Justice Academy may approve a separate basic training course and certification standards for juvenile corrections officers. The amendment also provides that a corrections officer who is certified and an employee of a county or regional jail or state adult correctional facility on the date the board establishes a separate basic training course and certification standards for juvenile corrections officers must be certified as an adult corrections officer.

FISCAL NOTE REQUIRED

(See attached)



Approved 06/07/23 *MRC*

131st MAINE LEGISLATURE

LD 42

LR 129(02)

An Act Regarding the Commissioner of Corrections' Role in Death Benefit Determinations and Regarding Training for Corrections Officers

Fiscal Note for Bill as Amended by Committee Amendment "A" (S.392)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Departments of Public Safety and Corrections to establish training and certification standards of juvenile corrections officers can be absorbed within existing budgeted resources