

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine  
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**PUBLIC LAWS**  
OF THE  
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cardiovascular or a pulmonary disease which developed within 6 months of having participated in fire fighting or training or drill which actually involves fire fighting;

(2) The member was an active member of a municipal fire department or of a volunteer fire fighters' association, as defined in Title 30, section 3771, for at least 2 years prior to the injury or onset of the disease; and

(3) The member has been granted workers' compensation benefits for the cardiovascular injury or disease or the pulmonary disease.

This presumption is subject to rebuttal in accordance with the Maine Rules of Evidence, Rule 301.

B. For the purposes of this section, a person shall be considered an active member of a municipal fire department or of a volunteer fire department or volunteer fire fighters' association and if that person aids in the extinguishment of fires, regardless of whether or not that person has administrative duties or other duties as a member of the municipal fire department or volunteer fire fighters' association.

Effective September 14, 1979

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## CHAPTER 311

S. P. 405 — L. D. 1276

### AN ACT Concerning Reserve Officer Standards for Professional Law Enforcement Personnel.

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

25 MRSA § 2805-A is enacted to read:

#### § 2805-A. Standards for reserve and other part-time law enforcement officers

1. Purpose. The purpose of this section is to establish standards and training programs for reserve and other part-time law enforcement officers and to certify these officers.

2. Powers and duties. The Maine Criminal Justice Academy shall have the following powers and duties.

A. The academy shall establish standards of admission to training for reserve

and part-time officers which may include, but are not limited to, standards of work experience and physical and mental condition. The academy may also establish educational standards but shall not establish graduation from high school as a standard.

B. The academy shall approve training programs for the purpose of qualifying reserve and part-time officers, including prescription of curriculum and setting standards for graduation from such programs and for certification as a reserve or part-time officer. In addition, the academy may approve other training programs for reserve and part-time officers.

The academy shall certify in writing any person who, subsequent to the effective date of this section, has satisfied the requirements for certification it has established.

The academy may certify in writing without requiring additional training or testing a person who, prior to the effective date of this section, has completed a training program substantially similar to the training requirement established by the academy and who substantially meets all other requirements for certification at the time of his certification.

The academy may certify in writing by requiring additional training or testing only in selected subjects a person who, prior to the effective date of this section, has completed a training program substantially similar to the training requirement established by the academy, except for training in those selected subjects, and substantially meets all other requirements for certification at the time of his certification. An example of such a person would be one who, in addition to meeting other requirements, completed a training course in another state which is substantially similar to the course required by this section, except for instruction of the criminal and traffic law of the other state.

C. The academy may establish fees to be assessed for testing and certification in order to defray part of the costs of operation of this section and may accept grants from governmental and nongovernmental sources for this purpose.

D. The academy shall maintain a roster of all currently certified reserve and part-time officers. The roster shall be available for inspection during regular working hours by the public at the academy.

3. Standards and training requirements. The standards and training requirements established and approved by the academy shall not be greater than the standards and training requirements required for full-time law enforcement officers employed in the jurisdiction for which a reserve or part-time officer is training to be employed.

The academy may establish different standards and training requirements for a municipality or classes of municipalities and for a county sheriff's department or classes of sheriff's departments. The academy may establish classes of reserve or

part-time officers, which reflect attainment of different levels of standards and training, provided that these levels relate to the different requirements of a municipality or classes of municipalities and a county sheriff's department or classes of county sheriff's departments.

4. **Prohibition.** No person may identify himself as a certified Maine law enforcement reserve or part-time officer unless he has been certified by the academy.

Effective September 14, 1979

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## CHAPTER 312

H. P. 1034 — L. D. 1282

### AN ACT to Refine the State's Accounting System.

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

Sec. 1. 3 MRSA § 4, as amended by PL 1975, c. 771, § 10, is repealed and the following enacted in its place:

#### § 4. Postaudit

A postaudit of all accounts and other financial records of the Legislature, the Governor's office, except the Governor's Expense Account, and any agency or office in the Executive Department which has not been audited by a state or federal agency within the preceding 24 months, shall be performed at least once every 2 years by independent certified public accountants designated by the Governor. Such audit report shall be filed with the Legislature and with the State Library.

Sec. 2. 5 MRSA § 1541, sub-§ 3, is amended to read:

3. **Audit.** To audit and approve all bills, invoices, accounts, payrolls and all other evidences of claims, demands or charges against the State Government; and to determine the regularity, legality and correctness of such claims, demands or charges. **The State Controller may elect to audit electronically based systems for adequate safeguards and procedural controls:**

Sec. 3. 5 MRSA § 1543, first ¶, is repealed and the following enacted in its place:

No money shall be drawn from the State Treasury, except in accordance with appropriations duly authorized by law. Every disbursement from the State