

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 67

S.P. 295 - L.D. 881

### AN ACT to Require Training for Certain Part-time Law Enforcement Officers.

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

Sec. 1. 25 MRSA §2805, sub-§2, ¶A, as amended by PL 1977, c. 650, §2, is further amended to read:

A. "Full-time" ~~shall mean~~ means employment with the reasonable expectation of earning at least ~~\$4,000~~ \$6,000 in any one calendar or fiscal year for performing law enforcement duties.

Sec. 2. 25 MRSA §2805, sub-§2, ¶C, as enacted by PL 1977, c. 701, §5-A, is amended to read:

C. "Full-time corrections officer" ~~shall mean~~ means employment with the reasonable expectation of earning at least ~~\$4,000~~ \$6,000 in any one calendar or fiscal year for performing corrections officer duties. "Corrections officer" ~~shall mean~~ means as follows:

(1) For state agencies, the following class titles and their successor titles: Training School Counselor I and II; Training School Counselor Supervisor; Corrections Officer I, II and III; Guard; Guard Sergeant; Guard Lieutenant and Guard Captain; and

(2) For county, municipal and other agencies subject to this chapter, the Maine Criminal Justice Academy shall define the term "corrections officer."

Sec. 3. 25 MRSA §2805-A, sub-§§2 and 3, as enacted by PL 1979, c. 311, are amended to read:

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

A. The academy board of trustees 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 board

of trustees may also establish educational standards but shall not establish graduation from high school as a standard.

B. The academy board of trustees 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 board of trustees 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 board of trustees 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 board of trustees and who substantially meets all other requirements for certification at the time of his certification.

The academy board of trustees 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 board of trustees 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 board of trustees shall maintain a roster of all currently certified reserve and part-time officers. The roster shall be avail-

able 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 board of trustees 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 board of trustees 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 board of trustees 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.

Sec. 4. 25 MRSA §2805-A, sub-§4, as enacted by PL 1979, c. 311, is repealed and the following enacted in its place:

4. Certification required. As a condition to the continued employment of any person as a reserve or part-time law enforcement officer by a municipality or county, except a law enforcement officer without the power to arrest and without the authority to carry a weapon, the person must receive from the academy, within the first year of his employment, certification or a waiver of certification as a reserve or part-time law enforcement officer. The board of trustees, under extenuating and emergency circumstances in individual cases, may extend this period for not more than 60 days.

Sec. 5. 25 MRSA §2805-A, sub-§5 is enacted to read:

5. Employment list. Within 30 days of the close of each calendar year, the highest elected official of each political subdivision shall provide the academy board of trustees with a list of the names and dates of employment of all reserve and part-time law enforcement officers covered by this section.

Whenever a reserve or part-time local law enforcement officer is newly appointed, such highest elected official, or department and agency head, shall send notice of appointment within 30 days to the trustees

on a form approved for that purpose. The form shall be deemed an application for admission to the training program or for other certification as required by this section.

Sec. 6. 25 MRSA §2807 is enacted to read:

§2807. Municipal reports of dismissed law enforcement officers

In the event that a law enforcement officer has resigned from or been dismissed from his position in a municipality or county for having been convicted of a Class A, Class B, Class C or Class D crime, the municipal officers or their designee or the county commissioners or their designee shall expeditiously notify the Director of the Maine Criminal Justice Academy with the name of the convicted law enforcement officer, the class of crime committed, the date the offense was committed and a brief description of the crime.

For the purpose of this section, law enforcement officer means a full-time or part-time police officer, special police officer, constable, sheriff or deputy sheriff.

The Director of the Maine Criminal Justice Academy shall maintain a list of all the persons reported under this section which shall be made available to any municipality or county or to the State for the purpose of hiring law enforcement officers.

Effective September 23, 1983.

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## CHAPTER 68

H.P. 519 - L.D. 644

AN ACT to Allow the Commissioner of  
Educational and Cultural Services to Charge  
a Fee for Private Industrial Fire Brigade  
Training.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many private industries in the State need specialized firefighter training due to increased storage, use and production of hazardous