

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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

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

---

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

---

---

**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

---

---

section, adopted by the First Regular Session of the 111th Legislature, enters into effect, without regard to the date when any affected utility has sought recovery from ratepayers of the cost of any canceled or abandoned electric generating facility. This includes recovery for the Pilgrim II plant proposed by Central Maine Power Company.

Effective September 23, 1983.

---

---

## CHAPTER 244

H.P. 1141 - L.D. 1505

AN ACT to Authorize the Maine  
Criminal Justice Academy to Revoke  
Officer Certification.

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

Sec. 1. 25 MRSA §2803, sub-§1, as repealed and replaced by PL 1975, c. 579, §7, is amended to read:

1. Training and certification of deputy sheriffs and local law enforcement officers. In accordance with the provisions of section 2805 to set standards for admission to the academy, set requirements for graduation from the academy, prescribe curriculum and certify both graduates of the academy and persons for whom the board of trustees have waived the requirements of section 2805;

Sec. 2. 25 MRSA §2803, sub-§2-A, as amended by PL 1981, c. 470, Pt. A, §139, is further amended to read:

2-A. Training and certification of corrections personnel. In accordance with section 2805, to approve training programs for corrections officers, including prescription of curriculum and setting of standards for graduation from those approved programs and certification of persons graduating from the basic training course prescribed in section 2805, subsection 1;

Sec. 3. 25 MRSA §2803, sub-§§7 and 8, as repealed and replaced by PL 1975, c. 579, §7, are amended to read:

7. Accept funds and grants. With the approval of the commissioner, to accept such federal funds or

grants as may be available to carry out the purposes of the academy; and

8. Acquire facilities. With the approval of the commissioner, to lease, rent or acquire adequate facilities to conduct the academy's training programs;

Sec. 4. 25 MRSA §2803, sub-§9, as enacted by PL 1979, c. 261, §1, is amended to read:

9. Certification of instructors. To certify and set standards for certification of law enforcement and criminal justice instructors to be used in all academy basic and ~~inservice~~ in-service training programs as required by the trustees and over which the trustees have statutory control; and

Sec. 5. 25 MRSA §2803, sub-§10 is enacted to read:

10. Revocation or suspension of certification. To revoke or suspend a certificate issued under this chapter, pursuant to section 2806.

Sec. 6. 25 MRSA §2806, sub-§1, as repealed and replaced by PL 1977, c. 701, §9, is repealed and the following enacted in its place:

1. Suspension or revocation. The board of trustees:

A. May suspend the right to enforce the criminal laws of the State or to act as a corrections officer of any person found in violation of section 2805, subsection 1;

B. May suspend or revoke the certificate issued pursuant to section 2803, 2805 or 2805-A of any person who:

(1) Has been found guilty of murder or any Class A, Class B or Class C crime;

(2) Has been found guilty of any crime in this or another jurisdiction for which the maximum term of imprisonment prescribed by law exceeds one year; or

(3) Has been found guilty of any crime in this or another jurisdiction for which the maximum term of imprisonment prescribed by law is not less than 6 months and which involves moral turpitude; and

C. Shall investigate a complaint, on its own

motion or otherwise, regarding the failure of a law enforcement or corrections officer to comply with the requirements of section 2805, subsection 3, and any rules promulgated pursuant thereto. The board may, upon notice, conduct an informal conference with the officer. If the board finds that the factual basis of the complaint is true and that further action is warranted, it may take the following action:

(1) Enter into a consent agreement with the officer, which agreement may contain provisions to insure compliance, including voluntary surrender of the certificate and terms and conditions of recertification; or

(2) Refer the complaint to the Attorney General for action in the Administrative Court.

Sec. 7. 25 MRSA §2806, sub-§2, as repealed and replaced by PL 1979, c. 261, §3, is repealed and the following enacted in its place:

2. Procedure. For action taken by the board under subsection 1, the procedure shall be as follows:

A. For paragraph A, in accordance with Title 5, chapter 375, subchapter IV;

B. For paragraph B, if the officer is employed as a law enforcement officer, upon petition of the chief administrative officer of the employing agency, in accordance with Title 5, section 10004; and

C. For paragraph C, in accordance with Title 5, chapter 375, subchapter VI.

Effective September 23, 1983.

---

## CHAPTER 245

H.P. 919 - L.D. 1198

AN ACT to Designate the Director of  
Area Reference and Resource Centers as  
Permanent, Nonvoting Members of the Maine  
Library Commission.

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