



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1124

S.P. 458

In Senate, March 9, 2023

An Act Regarding Certification Credentials for the Office of Sheriff

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.

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

2 **Sec. 1. 30-A MRSA §371-B, sub-§3, ¶D**, as amended by PL 2021, c. 202, §1, is
3 further amended to read:

4 D. The candidate submits written certification from the Maine Criminal Justice
5 Academy that the candidate:

6 (1) Is currently certified as a law enforcement officer and has met the basic law
7 enforcement training standards under Title 25, section 2804-C; ~~or~~

8 (3) Was previously certified as a law enforcement officer and agrees to meet the
9 basic law enforcement training standards under Title 25, section 2804-C within one
10 year of taking office; ~~and~~ or

11 (4) Is currently enrolled in a course of study providing preservice law enforcement
12 training under Title 25, section 2804-B and meets the basic law enforcement
13 training standards under Title 25, section 2804-C within one year of taking office;
14 and

15 **Sec. 2. 30-A MRSA §371-B, sub-§3-A**, as enacted by PL 2021, c. 202, §2, is
16 amended to read:

17 **3-A. Ongoing training.** A person newly taking office as sheriff shall enroll in a jail
18 administration certification program administered by the Commissioner of Corrections
19 under Title 34-A, section 1208, subsection 8 and obtain certification from the program
20 within 6 months of taking office. A person appointed to the office of sheriff shall
21 continually meet the in-service law enforcement training standards under Title 25, section
22 2804-E and any other statutory requirements of preservice, basic or in-service law
23 enforcement training required for certification or continued certification as a law
24 enforcement officer.

25 **Sec. 3. 34-A MRSA §1208, sub-§8** is enacted to read:

26 **8. Jail administration certification program.** The commissioner shall administer a
27 jail administration certification program for a sheriff under Title 30-A, section 371-B,
28 subsection 3, paragraph D, subparagraph (4) and other jail administration personnel based
29 upon the standards under this section and other jail administration practices and procedures
30 the commissioner determines appropriate. The commissioner shall adopt rules to carry out
31 the purposes of this subsection. Rules adopted pursuant to this subsection are routine
32 technical rules under Title 5, chapter 375, subchapter 2-A.

33 **SUMMARY**

34 This bill allows a person to be a candidate for sheriff who is not and has not been
35 certified as a law enforcement officer as long as the person is enrolled in the Department
36 of Public Safety's preservice law enforcement training and meets all required in-service
37 law enforcement training standards within one year of taking office. This bill also requires
38 that a new sheriff under this provision enroll in a jail administration certification program
39 administered by the Commissioner of Corrections and obtain certification from the
40 program within 6 months of taking office.