

§2803-A. Powers and duties of the board of trustees

The board has the following powers and duties: [PL 1989, c. 521, §§4, 17 (NEW).]

1. Training and certification of all law enforcement officers in State. In accordance with this chapter, to establish training and certification standards for all law enforcement officers, set requirements for board-approved courses, prescribe curriculum and certify both 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;
[PL 2005, c. 331, §8 (AMD).]

2. Admission standards. In accordance with the requirements of this chapter, to establish standards for admission to the board-approved courses, including academic and physical admission standards that apply uniformly to all candidates applying for admission to the academy;
[PL 2005, c. 331, §9 (AMD).]

3. Certification of criminal justice executives. To certify and set standards for certification of criminal justice executives. As used in this subsection, "criminal justice executives" means police chiefs, sheriffs and the persons directly below the police chiefs or sheriffs in line of command;
[PL 2005, c. 331, §10 (AMD).]

4. Training and certification of sheriffs.
[PL 2005, c. 331, §11 (RP).]

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;
[PL 2023, c. 341, §4 (AMD).]

5-A. Training of corrections employees with law enforcement powers. To establish certification standards and a preservice and in-service training program for employees of the Department of Corrections authorized to exercise law enforcement powers as described in Title 34-A, section 3011. This program must include:

- A. Preservice law enforcement training under section 2804-B; [PL 2013, c. 147, §9 (NEW).]
- B. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E. [PL 2013, c. 147, §9 (NEW).]

Except for investigative officers, these employees of the Department of Corrections are exempt from section 2804-C, but completion of the basic training under section 2804-C exempts a person from the preservice training requirements under paragraph A;
[PL 2013, c. 147, §9 (NEW).]

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;

[PL 2023, c. 341, §5 (NEW).]

5-C. Training and certification of probation and parole officers. To establish training and certification standards for probation and parole officers, set requirements for board-approved courses, prescribe curricula and certify graduates of board-approved courses. Certification must be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance;

[PL 2023, c. 525, §4 (NEW); PL 2023, c. 525, §8 (AFF).]

6. Training and certification of State Police enlisted personnel.

[PL 1993, c. 744, §4 (RP).]

7. Training of harbor masters. To establish suitable training programs for harbor masters authorized to make arrests under Title 38, chapter 1, subchapter I, relevant to their duties as harbor masters;

[PL 1989, c. 521, §§4, 17 (NEW).]

8. Training and certification in court procedures. To establish certification standards and a program to certify law enforcement officers as being familiar with current court procedures. This program shall include:

A. Sufficient instruction in the basic training courses approved by the board under this chapter to satisfy certification standards upon successful completion of the course; [PL 1989, c. 521, §§4, 17 (NEW).]

B. A method by which law enforcement officers whose basic training course did not contain the instruction required by paragraph A may satisfy the certification standards; and [PL 1989, c. 521, §§4, 17 (NEW).]

C. A requirement that in-service training programs required under section 2804-E include instruction on current court procedures; [PL 1989, c. 521, §§4, 17 (NEW).]

[PL 1989, c. 521, §§4, 17 (NEW).]

8-A. Training of police officers of the Bureau of Capitol Police. To establish certification standards and a training program for police officers appointed by the Commissioner of Public Safety pursuant to section 2908. This program must include:

A. The preservice law enforcement training under section 2804-B; [PL 2005, c. 331, §12 (AMD).]

B. An additional 120-hour field training program developed and approved by the board that is specific to the duties of a Capitol Police officer; and [PL 2009, c. 317, Pt. E, §1 (AMD).]

C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E. [PL 2001, c. 559, Pt. KK, §2 (NEW).]

Capitol Police officers are exempt from section 2804-C;

[PL 2009, c. 317, Pt. E, §1 (AMD).]

8-B. Training of judicial marshals. To establish certification standards and a preservice and in-service training program for judicial marshals. This program must include:

- A. Preservice law enforcement training under section 2804-B; [PL 2003, c. 400, §5 (NEW).]
- B. An additional basic judicial marshal training program developed and approved by the board that is specific to the duties of a judicial marshal; and [PL 2013, c. 147, §10 (AMD).]
- C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E. [PL 2003, c. 400, §5 (NEW).]

Judicial marshals are exempt from section 2804-C, but completion of basic training under section 2804-C exempts a person from the preservice training requirement under paragraph A; [PL 2013, c. 147, §10 (AMD).]

8-C. Training of transport officers. To establish certification standards and a training program for transport officers. This program must include:

- A. The preservice law enforcement training under section 2804-B; and [PL 2013, c. 147, §11 (NEW).]
 - B. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E; [PL 2013, c. 147, §11 (NEW).]
- [PL 2013, c. 147, §11 (AMD).]

8-D. Training of forest rangers. To establish certification standards and a training program for the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and forest rangers appointed under Title 12, section 8901. This program must include:

- A. Preservice law enforcement training under section 2804-B; [PL 2017, c. 456, §3 (NEW).]
- B. An additional basic forest ranger training program developed by the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and approved by the board that is specific to the duties of a forest ranger; [PL 2017, c. 456, §3 (NEW).]
- C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E; and [PL 2017, c. 456, §3 (NEW).]
- D. A firearms training program equivalent to a firearms training program of a full-time law enforcement officer trained at the Maine Criminal Justice Academy that is developed and approved by the board. [PL 2017, c. 456, §3 (NEW).]

A forest ranger hired on or after July 1, 2019 shall complete basic training under section 2804-C.

Forest ranger pilots regardless of hire date and forest rangers hired prior to July 1, 2019 are exempt from basic training under section 2804-C, but completion of basic training under section 2804-C exempts a person from the preservice training requirement under paragraph A; [PL 2019, c. 593, §1 (AMD).]

9. Other training programs. To establish additional training programs considered to be beneficial to law enforcement officers, corrections officers and other criminal justice personnel; [PL 2013, c. 147, §12 (AMD).]

10. Establish fees. To establish, with the approval of the commissioner, reasonable fees for attendance to defray at least part of the operation costs of the academy; [PL 1989, c. 521, §§4, 17 (NEW).]

11. Formulate a budget. [PL 2005, c. 331, §14 (RP).]

12. 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;

[PL 1989, c. 521, §§4, 17 (NEW).]

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

[PL 1989, c. 521, §§4, 17 (NEW).]

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

[PL 1989, c. 521, §§4, 17 (NEW).]

15. Revocation or suspension of certification. To take disciplinary action concerning any certificate issued by the board, including but not limited to suspension or revocation;

[PL 2013, c. 147, §13 (AMD).]

15-A. Standards of conduct. To adopt rules establishing standards of conduct for an applicant for a certificate and a certificate holder the violation of which subject that person to disciplinary action pursuant to section 2806-A, subsection 5, paragraph M;

[PL 2021, c. 255, §1 (NEW).]

16. Provide assistance and materials. To provide to state, municipal and county corrections officers and state, municipal and county law enforcement officers any assistance or instructional materials the board considers necessary to fulfill the purposes of this chapter and Title 30-A, sections 381 and 2671;

[PL 2013, c. 147, §14 (AMD).]

17. Acceptance of gifts. To accept, as recommended by the Director of the Maine Criminal Justice Academy, money, goods and services, gifts, bequests and endowments donated to the Maine Criminal Justice Academy to support any activities carried out by the Maine Criminal Justice Academy pursuant to this chapter. Any money donated to the academy and any proceeds from the sale of property bequeathed to the board pursuant to this section must be deposited in the academy's Other Special Revenue Funds account;

[PL 2013, c. 147, §15 (NEW).]

18. Rules. To adopt rules as the board determines necessary and proper to carry out this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; and

[PL 2013, c. 147, §15 (NEW).]

19. Issuance of subpoenas. To conduct investigations and issue subpoenas to assist with investigations or as otherwise considered necessary for the fulfillment of its responsibilities and to hold hearings and issue subpoenas for witnesses, records and documents in the name of the board in accordance with the terms of Title 5, section 9060, except that the subpoena authority applies to any stage or type of an investigation and is not limited to an adjudicatory hearing.

[PL 2013, c. 147, §15 (NEW).]

SECTION HISTORY

PL 1989, c. 521, §§4,17 (NEW). PL 1993, c. 744, §§2-4 (AMD). PL 1997, c. 395, §02 (AMD). PL 1999, c. 630, §1 (AMD). PL 2001, c. 559, §KK2 (AMD). PL 2003, c. 400, §5 (AMD). PL 2005, c. 331, §§8-15 (AMD). PL 2005, c. 519, §XXX4 (AMD). PL 2009, c. 317, Pt. E, §1 (AMD). PL 2013, c. 147, §§8-15 (AMD). PL 2017, c. 456, §3 (AMD). PL 2019, c. 593, §1 (AMD). PL 2021, c. 255, §1 (AMD). PL 2023, c. 341, §§4, 5 (AMD). PL 2023, c. 525, §4 (AMD). PL 2023, c. 525, §8 (AFF).

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