§371-B. Selection; qualifications

1. Manner of election or appointment. Sheriffs are elected or appointed and hold their offices according to the Constitution of Maine. Their election must be conducted and determined as is provided for county commissioners. Sheriffs take office on the first day of January following their election.
[PL 1997, c. 562, Pt. D, §6 (RPR); PL 1997, c. 562, Pt. D, §11 (AFF).]

2. Filling vacancies. Vacancies in the office of sheriff caused by death, resignation, removal from the county, permanent incapacity or any other reason must be filled as provided in the Constitution of Maine. In the case of a vacancy in the term of a sheriff who was nominated by primary election before the general election the sheriff appointed by the Governor to fill the vacancy until a successor is chosen at election must be enrolled in the same political party as the sheriff whose term is vacant. In making the appointment, the Governor shall choose from any recommendations submitted to the Governor by the county committee of the political party from which the appointment is made.
[PL 1997, c. 562, Pt. D, §6 (RPR); PL 1997, c. 562, Pt. D, §11 (AFF).]

3. Minimum qualifications for officers. A person may not be appointed to the office of sheriff, be a candidate for election to the office of sheriff or serve as sheriff of any county in the State unless the candidate meets the following qualifications:

A. The candidate swears to or affirms the Law Enforcement Code of Ethics; [PL 1997, c. 562, Pt. D, §6 (RPR); PL 1997, c. 562, Pt. D, §11 (AFF).]

B. The candidate has never been convicted of a Class C or higher crime; [PL 1997, c. 562, Pt. D, §6 (RPR); PL 1997, c. 562, Pt. D, §11 (AFF).]

C. The candidate applies to the Secretary of State for a criminal background investigation; [PL 2011, c. 342, §32 (AMD).]

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

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

(3) Was previously certified as a law enforcement officer and agrees to meet the basic law enforcement training standards under Title 25, section 2804-C within one year of taking office; and [PL 2021, c. 202, §1 (AMD).]

E. The candidate swears to or affirms that the candidate has at least 2 years of supervisory employment experience in law enforcement or corrections or a combination of both and submits the name, address and telephone number for the relevant employer or employers. [PL 2019, c. 33, §1 (AMD).]
[PL 2021, c. 202, §1 (AMD).]

3-A. Ongoing training. A person appointed to the office of sheriff shall continually meet the in-service law enforcement training standards under Title 25, section 2804-E and any other statutory requirements of preservice, basic or in-service law enforcement training required for certification or continued certification as a law enforcement officer.
[PL 2021, c. 202, §2 (NEW).]

4. Exception. Any person who served as a full-time law enforcement officer employed by a municipal police department or a state agency, including the University of Maine System, on or before July 1, 1990 or is serving in the office of sheriff on June 26, 2021 or served prior to that date is deemed to meet the minimum qualifications of subsection 3.
[PL 2021, c. 202, §3 (AMD).]

SECTION HISTORY

PL 1997, c. 37, §1 (NEW). PL 1997, c. 87, §1 (NEW). PL 1997, c. 562, §D6 (RPR). PL 1997, c. 562, §D11 (AFF). PL 1999, c. 338, §1 (AMD). PL 2003, c. 510, §C11 (AMD). PL 2011, c. 342, §§32-34 (AMD). PL 2019, c. 33, §1 (AMD). PL 2021, c. 202, §§1-3 (AMD).

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