Office of
The Governor

No. 46 FY 19/20
DATE April 24, 2020

AN ORDER REGARDING CERTAIN LAW ENFORCEMENT RELATED LICENSING REQUIREMENTS AND TRAINING DEADLINES

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and a renewed state of emergency on April 14, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, during the state of emergency, individuals complying with state recommendations to shelter at home in order to slow the spread of COVID-19 may not be able to meet certain requirements of the polygraph examiner, professional investigator, and contract security company licensing statutes; and

WHEREAS, the Maine Criminal Justice Academy has because of the state of emergency been required to suspend the commencement of scheduled basic law enforcement and corrections training programs; and

WHEREAS, a governor has the emergency powers to:

A. suspend the enforcement of statutes prescribing the procedures for conduct of state business if strict compliance would hinder coping with the emergency pursuant to 37-B M.R.S. § 742(1)(C)(1) and §834;

B. reasonably adjust time frames and deadlines imposed by law when such adjustment is reasonably necessary to mitigate a substantial effect of the emergency pursuant to 37-B M.R.S. § 742(1)(C)(13)(a);

C. modify or suspend the requirements for professional or occupational licensing or registration if strict compliance would hinder dealing with the emergency pursuant to 37-B M.R.S. § 742(1)(C)(13)(c); and

WHEREAS, the exercise of these authorities is necessary to facilitate the licensing and training issues set forth below;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited above, do hereby Order the following:

I. ORDERS

The Commissioner of Public Safety (Commissioner), the Chief of the State Police (Chief), and the Maine Criminal Justice Academy Board of Trustees (Board) may suspend enforcing the pertinent provisions of the Maine Revised Statutes, Title 25 Chapter 341 and Title 32 Chapters 86, 89, and 93 and the related rules of both Titles to the extent necessary to permit adjusted timeframes for the following licenses and trainings:

A. Any license of a polygraph examiner, polygraph examiner intern or contract security company issued by the Commissioner that is scheduled to expire during the emergency shall have its expiration date extended to 30 days following the termination of the emergency.

B. Any license of a professional investigator issued by the Chief that is scheduled to expire during the emergency shall have its expiration date extended to 30 days following the termination of the emergency.

C. Any license of an investigative assistant issued by the Chief that is scheduled to expire during the emergency or prior to the 180th day following the termination of the emergency shall have its expiration date extended to either the 180th day following the termination of the emergency, or for a duration equal to the number of days the emergency was in effect, whichever period is longer.

D. During the emergency and for the period of 180 days following the termination of the emergency, the Board may extend beyond 180 days the 12-month periods in which full-time law enforcement officers must complete basic law enforcement training under 25 M.R.S. § 2804-C(1) and corrections officers must complete basic corrections training under 25 M.R.S. § 2804-D(1).

II. EFFECTIVE DATE

This Order takes effect on April 24, 2020 and shall remain in effect until rescinded or until the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.

Janet T. Mills
Governor