

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1933

H.P. 1294

House of Representatives, May 6, 2025

An Act to Require Law Enforcement Officers Employed by Tribal Governments to Complete the Same Training Required for Other Law Enforcement Officers

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DANA of the Passamaquoddy Tribe.
Cosponsored by Senator MOORE of Washington and
Representatives: ABDI of Lewiston, FAULKINGHAM of Winter Harbor, FLYNN of Albion,
HENDERSON of Rumford, LEE of Auburn, OSHER of Orono, PLUECKER of Warren,
SAYRE of Kennebunk.

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

2 **Sec. 1. 25 MRSA §2801-A, sub-§4**, as amended by PL 2013, c. 588, Pt. A, §31, is
3 further amended to read:

4 **4. Full-time law enforcement officer.** "Full-time law enforcement officer" means a
5 person who possesses a current and valid certificate issued by the board pursuant to section
6 2803-A and is employed as a law enforcement officer by a municipality, a county, the State,
7 a tribal government or any other nonfederal employer with a reasonable expectation of
8 working more than 1,040 hours in any one calendar year performing law enforcement
9 officer duties.

10 **Sec. 2. 25 MRSA §2804-C, sub-§1**, as amended by PL 2013, c. 147, §29, is further
11 amended to read:

12 **1. Required.** As a condition to the continued employment of any person as a full-time
13 law enforcement officer by a municipality, a county, the State, a tribal government or any
14 other nonfederal employer, that person must successfully complete, within the first 12
15 months of initial full-time employment, the basic training course at the Maine Criminal
16 Justice Academy approved by the board. If a person's failure to comply with this
17 requirement was a result of that person's failure to satisfy any of the admission standards
18 applicable to the basic training course and that person is subsequently employed as a full-
19 time law enforcement officer within 12 months of termination of the initial employment by
20 a municipality, a county, the State, a tribal government or any other nonfederal employer,
21 the person must have satisfied all the admission standards established by the board prior to
22 the time of hire. As a condition of continued employment as a full-time law enforcement
23 officer, the officer must satisfactorily maintain the basic certification by completing the
24 recertification requirements prescribed by the board. The board, under extenuating and
25 emergency circumstances in individual cases, may extend the 12-month period for not more
26 than 180 days. The board also, in individual cases, may waive the basic training
27 requirement when the facts indicate that an equivalent course has been successfully
28 completed.

29 **Sec. 3. 25 MRSA §2804-C, sub-§2-C**, as amended by PL 2021, c. 647, Pt. B, §57
30 and affected by §65, is further amended to read:

31 **2-C. Receipt of firearms; training; procedure; liability.** The Maine Criminal
32 Justice Academy shall provide training for municipal, county ~~and~~, state and tribal law
33 enforcement officers regarding the proper handling, storage, safekeeping and return of
34 firearms and firearm accessories received pursuant to a court order under Title 19-A,
35 section 4108, subsection 3 or Title 19-A, section 4110, subsection 4. Such training must
36 include education concerning the prohibitions on the purchase or possession of a firearm
37 when a protection order has been obtained and communication with parties to protection
38 orders concerning such prohibitions.

39 In developing materials for training in domestic violence issues, the Maine Criminal Justice
40 Academy may consult with a statewide organization involved in advocacy for victims of
41 domestic violence and with an organization having statewide membership representing the
42 interests of firearms owners.

43 A law enforcement officer who receives custody of a firearm pursuant to Title 19-A, section
44 4108, subsection 3 or Title 19-A, section 4110, subsection 4 shall exercise reasonable care

1 to avoid loss, damage or reduction in value of the firearm and may not permanently mark
2 the firearm or fire the firearm unless there is reasonable suspicion that the firearm has been
3 used in the commission of a crime. Any liability for damage or reduction in value to such
4 a firearm is governed by Title 14, chapter 741.

5 **Sec. 4. 25 MRSA §2804-C, sub-§2-E**, as amended by PL 2023, c. 675, §8, is
6 further amended to read:

7 **2-E. Receipt of certain dangerous weapons; training; procedure; liability.**
8 Beginning in 2020, the Maine Criminal Justice Academy Board of Trustees shall require
9 training as part of its mandated training schedule for municipal, county ~~and~~ state and tribal
10 law enforcement officers regarding the process for extreme risk protection orders and the
11 proper handling, storage, safekeeping and return of dangerous weapons received pursuant
12 to an endorsement or court order under Title 34-B, section 3862-A or 3873-A. The training
13 must include education concerning the prohibitions on the purchase, control or possession
14 of dangerous weapons. A law enforcement officer who receives custody of a dangerous
15 weapon pursuant to Title 34-B, section 3862-A or 3873-A shall exercise reasonable care to
16 avoid loss, damage or reduction in value of the weapon and may not permanently mark or
17 fire the weapon unless there is reasonable suspicion that the weapon has been used in the
18 commission of a crime. Any liability for damage or reduction in value to such a weapon is
19 governed by Title 14, chapter 741.

20 **Sec. 5. 25 MRSA §2804-E**, as amended by PL 2013, c. 147, §34, is further amended
21 to read:

22 **§2804-E. In-service law enforcement training**

23 **1. Required.** As a condition to the continued employment of a person as a law
24 enforcement officer with the power to make arrests or the authority to carry a firearm in
25 the course of duty by a municipality, a county, the State, a tribal government or other
26 nonfederal employer, that person must successfully complete in-service training as
27 prescribed by the board. Failure to successfully complete in-service training by a law
28 enforcement officer as prescribed by the board constitutes grounds to suspend or revoke a
29 certificate issued by the board pursuant to section 2803-A.

30 **2. Role of board.** The board shall establish in-service recertification training
31 requirements, consistent with subsection 1, and coordinate delivery of in-service training.
32 The in-service recertification training requirements must include information on new laws
33 and court decisions and on new enforcement practices demonstrated to reduce crime or
34 increase officer safety. The board shall consider and encourage the use of
35 telecommunications technology in the development and delivery of in-service training
36 programs. In establishing the recertification training requirements, the board shall
37 cooperate with the state and local departments and agencies and tribal governments to
38 which the in-service requirements apply to ensure that the standards are appropriate. In-
39 service training may not be applied to satisfy in-service recertification training
40 requirements unless it is approved by the board.

41 **4. Credit for continuing education.** The board may grant in-service training credits
42 to be applied to in-service recertification training requirements for courses completed at
43 accredited colleges and universities.

5. Provision of in-service training. In-service training programs that meet the requirements established under subsection 2 or other in-service training programs may be provided by the Maine Criminal Justice Academy or the agency or tribal government employing the law enforcement officer.

SUMMARY

This bill requires law enforcement officers employed by tribal governments to complete the same training that is required for other law enforcement officers.