

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 17

S. P. 3

In Senate, December 13, 1968

Filed December 13, 1968 under Joint Rule 6 by Senator Logan of York County. To be printed and delivered to the Senate of the 104th Legislature.

JERROLD B. SPEER, Secretary

Presented by Senator Logan of York County.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT to Establish a Police Training Facility.**

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**Emergency preamble.** Whereas, the State of Maine now has no regular or permanent training facility for the training and education of municipal police officers and other law enforcement officers; and

Whereas, effective and adequate law enforcement throughout the State is in danger of becoming ineffective and inefficient for lack of training; and

Whereas, the incidence of crime, particularly serious crimes, is on the increase throughout the State of Maine and such activities require a more informed and a better trained police officer; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., T. 5, § 1095, amended.** The 2nd sentence of section 1095 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 445 of the public laws of 1965, is further amended to read as follows:

Anything to the contrary notwithstanding each member of the State Police, including the chief thereof, who became a member of that department subsequent to July 9, 1943, shall, beginning with the first full week after September 21, 1963, and each employee of The Maine Police Academy, including the director or administrator thereof, shall, beginning the first full week after

the effective date of this Act, make a 7½% contribution of earnable compensation to the retirement system as long as he is employed.

**Sec. 2. R. S., T. 5, § 1121, sub-§ 1, ¶ C, amended.** The first sentence of paragraph C of subsection 1 of section 1121 of Title 5 of the Revised Statutes, as last repealed and replaced by section 12 of chapter 544 of the public laws of 1967 is amended to read as follows:

Any member of the State Police who became a member of that department subsequent to July 9, 1943 or any employee of **The Maine Police Academy** may retire upon completion of 20 years of creditable service as a state police officer or employee of **The Maine Police Academy**, but must retire upon attainment of age 55, except that any member who is a state police officer on January 1, 1967 and who will not have 20 years creditable service at the time age 55 is attained may continue in said service until 20 years is attained and forthwith shall be retired.

**Sec. 3. R. S., T. 5, § 1125, sub-§ 1-A, amended.** The first paragraph of subsection 1-A of section 1125 of Title 5 of the Revised Statutes, as enacted by section 2 of chapter 390 of the public laws of 1965, is amended to read as follows:

If a member of the retirement system who is a member of the State Police or is an employee of **The Maine Police Academy** shall dies as a result of an injury received in the line of duty his beneficiary, if his widow, and if there is no surviving child or children under age 18, shall receive an annual sum equal to 2/3 of the current annual salary of the member; or his beneficiary, if his widow, if the member is survived by a widow and a child or children under age 18, jointly, shall be entitled to an annual sum equal to the current annual salary of the member; or his beneficiary, if his child or children, if the member is survived only by a child or children under age 18, jointly, shall receive an annual sum equal to the current annual salary of the member.

**Sec. 4. R. S., T. 5, § 1151, sub-§ 1, amended.** The first sentence of subsection 1 of section 1151 of Title 5 of the Revised Statutes, as amended by section 2 of chapter 189 of the public laws of 1967, is further amended to read as follows:

Except as provided herein, each appointive officer or employee of the State of Maine, or teacher, who is eligible for membership in the Maine State Retirement System, or each member of the State Police who is a member of the State Police Retirement System, including those members of that system who have retired since September 5, 1955 and are living on March 18, 1957, and Justices of the Supreme Judicial Court and the Superior Court and Judges of the District Court, and employees of **The Maine Police Academy**, shall at such time and under the conditions of eligibility as the board of trustees may by regulation prescribe, come within the purview of this section.

**Sec. 5. R. S., T. 25, part 8, additional.** Title 25 of the Revised Statutes is amended by adding a new part 8, to read as follows:

PART 8  
MAINE POLICE ACADEMY  
CHAPTER 341  
THE MAINE POLICE ACADEMY

§ 2801. The Maine Police Academy

There is created a police training facility to be known as "The Maine Police Academy" which shall be established at some convenient and suitable place in the Augusta area as the Board of Commissioners, hereinafter established, may determine.

§ 2802. Membership

The Maine Police Academy shall be under the direct control and supervision of a Board of Commissioners consisting of 7 members as follows: The Attorney General, the Chief of the Maine State Police, ex officio, and the following to be appointed by the Governor with the advice and consent of the Council: A county attorney, a sheriff and 3 other persons who shall be officers of municipal police departments.

The members of the board shall serve for a term of 3 years unless they are serving ex officio, in which event they shall serve until their term expires and their successors are duly appointed and qualified. Members of the board shall serve without compensation, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties. Any vacancy on the Board of Commissioners shall be filled in the same manner as the original appointment, but for the unexpired term.

§ 2803. Duties

The duties of the Board of Commissioners shall be to implement the establishment of "The Maine Police Academy" in order to provide a facility for the training and education of municipal police officers and other law enforcement officers; to supervise its operation and its training programs; the right to employ all personnel which may reasonably be required to carry out the purposes of this chapter; the right to lease, rent or acquire adequate facilities to house "The Maine Police Academy" and to conduct proper and adequate training programs; to provide and conduct training programs both at a basic level and at an advanced training level for such periods of time during each calendar year as the Board of Commissioners may determine, but it shall conduct at least 3 basic and 3 advanced training courses during each calendar year; to accept such federal funds or grants as may be available to carry out or implement its purposes; to establish reasonable fees for attendance to defray part of the cost; and to make its training program available to all law enforcement agencies for personnel.

The Board of Commissioners may appoint and employ an individual, not subject to the terms of the Personnel Law, to act as director or administrator of the academy to plan, direct and supervise the day-to-day operation of the police training facility and he shall be charged with the responsibilities of

carrying out the policy and procedures as established by the Board of Commissioners for the purposes of this chapter.

The Board of Commissioners shall employ, subject to the terms of the Personnel Law, full-time personnel who are trained as experienced law enforcement officers. They shall be classified in rank or position to comparable positions within the Maine State Police. They shall be entitled to the same benefits, services and retirement programs as persons who became members of that agency subsequent to July 9, 1943.

#### § 2804. Meetings

The Board of Commissioners shall meet at such time or times as may be reasonably necessary to carry out their duties, but it shall meet at least once in each calendar quarter at such place and time as the board shall determine and it shall meet at the call of the chairman. The board shall organize annually by electing a chairman, vice-chairman and a secretary from among its members.

**Sec. 6. First board.** The first Board of Commissioners under this Act shall be appointed within 60 days from the effective date of this Act. The Attorney General for the State of Maine shall be chairman of the first board and the board shall further organize by electing the vice-chairman and a secretary.

**Sec. 7. Appropriation.** There is appropriated for the purposes of implementing this Act the sum of \$2,500 from the Unappropriated Surplus of the General Fund for the purpose of expediting the establishment of "The Maine State Police Academy," establishing a training curriculum and operating program and to implement the execution of this Act. There is appropriated from the General Fund to The Maine Police Academy the sum of \$25,000 for the purposes of this Act for the fiscal year ending June 30, 1970 and the sum of \$25,000 for the fiscal year ending June 30, 1971, for the purposes of defraying the costs hereof.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.