

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 17, L.D. 13)  
2 (New Title)

3 FIRST REGULAR SESSION  
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE  
6

7 Legislative Document

No. 1407

9 H.P. 1075

House of Representatives, April 6, 1983

10 Reported by Representative McHenry from the Committee on Local and  
11 County Government and printed under Joint Rule 2.

12 EDWIN H. PERT, Clerk

13  
14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-THREE  
18

19 AN ACT to Equitably Share the Cost of  
20 Police Training.  
21

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

24 Sec. 1. 25 MRSA §2807 is enacted to read:

25 §2807. Sharing of training costs

26 1. Definitions. As used in this section, unless  
27 the context otherwise indicates, the following terms  
28 have the following meanings:

29 A. "Governmental entity" means the State, or any  
30 cities, towns, plantations or counties.

1 B. "Training" means the initial basic training  
2 provided to part or full-time law enforcement  
3 officers by the Maine Criminal Justice Academy,  
4 as described in Title 25, section 2805, subsec-  
5 tion 1 and section 2805-A.

6 C. "Training costs" means the full cost of the  
7 salary paid to the officer while in training, the  
8 full cost of the tuition charged by the Maine  
9 Criminal Justice Academy, plus any overtime paid  
10 to others to provide police protection during the  
11 officer's absence. In determining training  
12 costs, charges for overtime, when they are appli-  
13 cable, shall always be calculated as 25% of the  
14 salary paid to the officer while in training.

15 2. Reimbursement for training costs. Whenever a  
16 law enforcement officer, trained at the Maine Crimi-  
17 nal Justice Academy on or after September 1, 1983,  
18 while on the payroll of a particular governmental  
19 entity, is subsequently hired by another governmental  
20 entity within 3 years of his graduation from the  
21 academy, the governmental entity shall reimburse the  
22 first governmental entity according to the following  
23 formula:

24 A. If the officer is hired by the other govern-  
25 mental entity during the first year after his  
26 graduation, that governmental entity shall reim-  
27 burse the first governmental entity the full cost  
28 of the training costs.

29 B. If the officer is hired by the other govern-  
30 mental entity during the 2nd year after his grad-  
31 uation, that governmental entity shall reimburse  
32 the first governmental entity 2/3 of the training  
33 costs.

34 C. If the officer is hired by the other govern-  
35 mental entity during the 3rd year after his grad-  
36 uation, that governmental entity shall reimburse  
37 the first governmental entity 1/3 of the training  
38 costs.

39 D. If the officer graduated more than 3 years  
40 before subsequently being hired by the other gov-  
41 ernmental entity, the governmental entity shall

1 not be obligated to reimburse the first govern-  
2 mental entity.

3 If the officer is subsequently hired by additional  
4 governmental entities within 3 years of his gradu-  
5 ation from the academy, each of those governmental  
6 entities shall be liable to the governmental employer  
7 immediately preceding it for the training costs paid  
8 by that governmental entity under this subsection.  
9 The extent of financial liability shall be determined  
10 according to the formula established by this subsec-  
11 tion.

12 Reimbursement shall not be required when the  
13 trained officer hired by a governmental entity had  
14 his employment with a prior governmental entity  
15 terminated at the discretion of the governmental  
16 entity.

17 Sec. 2. Appropriation, allocation. The follow-  
18 ing funds shall be appropriated and allocated from  
19 the General Fund and the Highway Fund to carry out  
20 the purposes of this Act:

21		<u>1983-84</u>	<u>1984-85</u>
22	<u>PUBLIC SAFETY,</u>		
23	<u>DEPARTMENT OF</u>		
24	State Police		
25	All Other - General Fund	\$19,110	
26	All Other - Highway Fund	\$23,424	
27	Liquor Enforcement		
28	All Other	<u>\$ 8,010</u>	<u>\$ 8,010</u>
29	Total	\$50,544	\$ 8,010

30 STATEMENT OF FACT

31 The original bill provided a formula similar to  
32 that in this new draft for the reimbursement of a  
33 municipality that pays for a police officer's basic  
34 training at the Maine Criminal Justice Academy by a  
35 municipality that subsequently hires the officer.

1 This new draft requires the State, a city, town,  
2 plantation or county to reimburse the unit of govern-  
3 ment that pays for an officer's training when the  
4 State, city, town, plantation or county hires the  
5 officer within 3 years of his graduation from the  
6 academy. The new draft defines exactly what training  
7 costs must be reimbursed.

8 This new draft makes it clear that reimbursement  
9 shall only be required when the officer concerned  
10 graduated from the academy on or after September 1,  
11 1983. The new draft states that reimbursement shall  
12 not apply when the governmental unit that paid for  
13 training costs voluntarily terminates the officer's  
14 employment.

15 The appropriation in this bill comes from infor-  
16 mation provided by the Department of Public Safety.  
17 The department states: The State Police cost is  
18 based on the average of the last 2 State Police acad-  
19 emy classes; and the Bureau of Liquor Enforcement  
20 cost is based on analysis of hires over the last 5  
21 years with the assumption that the highest possible  
22 cost must be budgeted each year due to the relative  
23 size of the agency budget. All costs are based on  
24 the current average municipal police officer salary  
25 of \$12,015, which is exclusive of overtime cost.

26 The appropriation requests are only estimates  
27 based on past hiring practices. If no trained munic-  
28 ipal police officers are hired these funds will not  
29 need to be spent.

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