MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document   No. 356

H.P. 292   House of Representatives, January 23, 1997

An Act to Require Fire and Rescue Departments to Reimburse Costs of Training.

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

JOSEPH W. MAYO, Clerk

Presented by Representative McALEVEY of Waterboro.
Cosponsored by Representatives: MACK of Standish, MAYO of Bath, SAVAGE of Union, TRUE of Fryeburg, Senators: BENOIT of Franklin, FERGUSON of Oxford, O'GARA of Cumberland.

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

Sec. 1. 25 MRSA c. 318 is enacted to read:

CHAPTER 318

FIREFIGHTING AND RESCUE TRAINING

§2471. Sharing of training costs

1. **Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Governmental entity" means the State or any city, town, plantation or county.

B. "Training" means the preservice, basic or other specific training provided to persons who are employed by a governmental entity either part-time or full-time and who are receiving firefighting or rescue training.

C. The term "training costs" includes the following:

(1) The full cost of the salary, including fringe benefits, paid to a person while in training;

(2) The full cost of the preservice, basic or other specific training provided to a person;

(3) The full cost of uniforms provided to a person while in training; and

(4) The full cost of the salary and overtime, paid to a person previously or newly employed by a municipality to provide fire or rescue protection, that would otherwise have been lost during the absence of the person who is in training.

2. **Reimbursement for training costs.** If a person, while on the payroll of a particular governmental entity, is hired by another governmental entity within 5 years of receiving certified firefighting or rescue training, the governmental entity shall reimburse the first governmental entity according to the following formula.

A. If a person is hired by another governmental entity during the first year after receiving training, that governmental entity shall reimburse the first governmental entity for 100% of the training costs.

B. If a person is hired by another governmental entity during the 2nd year after receiving training, that governmental entity shall reimburse the first governmental entity 80% of the training costs.

C. If a person is hired by another governmental entity during the 3rd year after receiving training, that governmental entity shall reimburse the first governmental entity 60% of the training costs.

D. If a person is hired by another governmental entity during the 4th year after receiving training, that governmental entity shall reimburse the first governmental entity 40% of the training costs.

E. If a person is hired by another governmental entity during the 5th year after receiving training, that governmental entity shall reimburse the first governmental entity 20% of the training costs.

F. If a person received training more than 5 years before subsequently being hired by another governmental entity, that governmental entity is not obligated to reimburse the first governmental entity.

If a person is subsequently hired by additional governmental entities within 5 years of receiving training, each of those governmental entities is liable to the governmental employer immediately preceding it for the training costs paid by that governmental entity. The extent of financial liability is determined according to the formula established by this subsection.

Reimbursement is not required when a trained person hired by a governmental entity has had employment with a prior governmental entity terminated for misconduct or professional negligence.

SUMMARY

This bill provides for the reimbursement of certain firefighting or rescue training costs for persons who are hired by more than one governmental entity.