

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 229

H.P. 150

House of Representatives, January 20, 2023

**An Act to Compensate Tribal Governments for Basic Training for a
Law Enforcement Officer Hired by Another Government Agency**

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 DILL of Old Town.
Cosponsored by Senator VITELLI of Sagadahoc and
Representatives: CYRWAY of Albion, HEPLER of Woolwich, LANDRY of Farmington,
Senator: President JACKSON of Aroostook.

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

2 **Sec. 1. 25 MRSA §2808**, as amended by PL 2013, c. 147, §41, is further amended
3 to read:

4 **§2808. Sharing of training costs**

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

7 A. "Governmental entity" means the State or any city, town, plantation or county or
8 tribal government.

9 B. "Training" means the basic training provided to a full-time law enforcement officer
10 by the Maine Criminal Justice Academy, as described in section 2804-C, or by the
11 Indian police academy at the federal law enforcement training center.

12 C. "Training costs" means a fixed dollar amount determined by the board. In making
13 the determination, the board shall include the following costs:

14 (1) The full cost of the salary, including fringe benefits, paid to the officer while
15 in training;

16 (2) The full cost of the tuition charged by the Maine Criminal Justice Academy or
17 the Indian police academy at the federal law enforcement training center;

18 (3) The full cost of uniforms for training and graduation provided to the officer in
19 training; ~~and~~

20 (4) The full cost of the salary, inclusive of overtime, paid to officers to provide
21 police protection that would otherwise have been lost during the absence of the
22 officer in training; ~~and~~

23 (5) The full cost of all travel and related expenses for travel to and from the Indian
24 police academy at the federal law enforcement training center.

25 The board shall review the determination of training costs annually, make any
26 necessary adjustments and provide that determination to all law enforcement agencies
27 in the State.

28 **3. Reimbursement for training costs.** Whenever a full-time law enforcement officer,
29 trained at the Maine Criminal Justice Academy or the Indian police academy at the federal
30 law enforcement training center at the expense of a particular governmental entity, is
31 subsequently hired by another governmental entity as a full-time law enforcement officer
32 within 5 years of graduation from the academy, the governmental entity shall reimburse
33 the first governmental entity according to the following formula, unless a mutual agreement
34 is reached.

35 A. If the officer is hired by the other governmental entity during the first year after
36 graduation, that governmental entity shall reimburse the first governmental entity the
37 full cost of the training costs.

38 B. If the officer is hired by the other governmental entity during the 2nd year after
39 graduation, that governmental entity shall reimburse the first governmental entity 80%
40 of the training costs.

1 C. If the officer is hired by the other governmental entity during the 3rd year after
2 graduation, that governmental entity shall reimburse the first governmental entity 60%
3 of the training costs.

4 D. If the officer is hired by the other governmental entity during the 4th year after
5 graduation, that governmental entity shall reimburse the first governmental entity 40%
6 of the training costs.

7 E. If the officer is hired by the other governmental entity during the 5th year after
8 graduation, that governmental entity shall reimburse the first governmental entity 20%
9 of the training costs.

10 F. If the officer graduated more than 5 years before subsequently being hired by the
11 other governmental entity, that governmental entity is not obligated to reimburse the
12 first governmental entity.

13 If the officer is subsequently hired by additional governmental entities within 5 years of
14 graduation from the academy, each of those governmental entities is liable to the
15 governmental employer immediately preceding it for the training costs paid by that
16 governmental entity under this subsection. The extent of financial liability must be
17 determined according to the formula established by this subsection.

18 **SUMMARY**

19 This bill includes tribal governments and full-time law enforcement officers trained at
20 the Indian police academy at the federal law enforcement training center in the laws that
21 provide that whenever a full-time law enforcement officer trained at a police academy at
22 the expense of a particular governmental entity is subsequently hired by another
23 governmental entity as a full-time law enforcement officer within 5 years of graduation
24 from the academy, that governmental entity must reimburse the first governmental entity
25 according to a specified formula.