

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 150 - L.D. 229

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

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

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

§2808. Sharing of training costs

1. Definitions. As used in this section, 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 or tribal government.

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

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

- (1) The full cost of the salary, including fringe benefits, paid to the officer while in training;
- (2) The full cost of the tuition charged by the Maine Criminal Justice Academy or the Indian police academy at the federal law enforcement training center;
- (3) The full cost of uniforms for training and graduation provided to the officer in training; and
- (4) The full cost of the salary, inclusive of overtime, paid to officers to provide police protection that would otherwise have been lost during the absence of the officer in training.

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

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

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

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

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

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

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

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

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

The board shall, as necessary, incorporate the Indian police academy at the federal law enforcement training center into its basic law enforcement training program reimbursement rates.