

MAINE STATE LEGISLATURE

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Minority

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L.D. 1536

Date: 3-23-16

(Filing No. S-479)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 598, L.D. 1536, Bill, "An Act To Provide Ballistic Vests to State Law Enforcement Officers"

Amend the bill by striking out the title and substituting the following:

'An Act To Provide Ballistic Vests to State Law Enforcement Officers and Certain Other State Agents'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 25 MRSA c. 411 is enacted to read:

CHAPTER 411

BALLISTIC VESTS

§3851. Provision of ballistic vests for law enforcement

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

A. "Ballistic vest" means a form of personal armor worn on the torso that prevents or restricts penetration by a projectile discharged by a firearm as defined in Title 17-A, section 2, subsection 12-A.

B. "Law enforcement officer" means an active:

(1) State police officer;

(2) Game warden or other law enforcement officer employed by the Department of Inland Fisheries and Wildlife or any bureau or division of the department;

(3) Employee of the Office of the State Fire Marshal who has law enforcement powers pursuant to section 2396, subsection 7;

(4) Judicial marshal;

COMMITTEE AMENDMENT

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- 1 (5) Law enforcement officer in the Department of Marine Resources, including a
2 marine patrol officer appointed by the Commissioner of Marine Resources;
- 3 (6) Forest ranger employed by the Department of Agriculture, Conservation and
4 Forestry, Bureau of Forestry or any bureau or division of the department;
- 5 (7) State humane agent employed by the Department of Agriculture,
6 Conservation and Forestry;
- 7 (8) State criminal inspector or detective employed by the Office of the Attorney
8 General pursuant to Title 5, sections 197 and 202, respectively;
- 9 (9) Person employed by the Department of Corrections as an investigative
10 officer as defined in Title 34-A, section 1001, subsection 10-A;
- 11 (10) Juvenile community corrections officer as described in Title 34-A, section
12 5602;
- 13 (11) Probation officer;
- 14 (12) Police officer appointed by the Commissioner of Public Safety pursuant to
15 section 2908;
- 16 (13) Military security police officer appointed by the Adjutant General;
- 17 (14) Police officer in the Department of Public Safety, Bureau of Capitol Police;
- 18 (15) Motor vehicle investigator appointed by the Secretary of State pursuant to
19 Title 29-A, section 152; and
- 20 (16) Security screener in the State Capitol Building employed by the Department
21 of Public Safety, Bureau of Capitol Police.

22 "Law enforcement officer" does not include a federal law enforcement officer or
23 federal attorney prosecuting for the State.

24 **2. Provision of ballistic vests for law enforcement officers.** A law enforcement
25 officer employed by the State must be provided a well-fitting, contemporary ballistic vest.

26 **3. Provision of ballistic vests for dogs engaged in law enforcement.** If the State
27 uses a dog for the purpose of aiding in law enforcement, the dog must be provided a well-
28 fitting, contemporary ballistic vest.

29 **4. Funding.** The State may accept public and private funds to implement the
30 purposes of this chapter.

31 **Sec. 2. Appropriations and allocations.** The following appropriations and
32 allocations are made.

33 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
34 **Forest Health and Monitoring Z233**

35 Initiative: Provides funding for ballistic vests and vest carriers for forest ranger positions.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to S.P. 598, L.D. 1536

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$0	\$54,672
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$54,672</u>
5	AGRICULTURE, CONSERVATION AND		
6	FORESTRY, DEPARTMENT OF		
7	DEPARTMENT TOTALS	2015-16	2016-17
8			
9	GENERAL FUND	\$0	\$54,672
10			
11	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$54,672</u>
12	CORRECTIONS, DEPARTMENT OF		
13	Administration - Corrections 0141		
14	Initiative: Provides funding for ballistic vests.		
15	GENERAL FUND	2015-16	2016-17
16	All Other	\$0	\$129,726
17			
18	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$129,726</u>
19	CORRECTIONS, DEPARTMENT OF		
20	DEPARTMENT TOTALS	2015-16	2016-17
21			
22	GENERAL FUND	\$0	\$129,726
23			
24	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$129,726</u>
25	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
26	Enforcement Operations - Inland Fisheries and Wildlife 0537		
27	Initiative: Provides funding for ballistic K-9 vests.		
28	GENERAL FUND	2015-16	2016-17
29	All Other	\$0	\$10,000
30			
31	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$10,000</u>

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT " **B** " to S.P. 598, L.D. 1536

1	INLAND FISHERIES AND WILDLIFE,		
2	DEPARTMENT OF		
3	DEPARTMENT TOTALS	2015-16	2016-17
4			
5	GENERAL FUND	\$0	\$10,000
6			
7	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,000

8 **JUDICIAL DEPARTMENT**

9 **Courts - Supreme, Superior and District 0063**

10 Initiative: Provides funding for ballistic vests for judicial marshals.

11	GENERAL FUND	2015-16	2016-17
12	All Other	\$0	\$60,000
13			
14	GENERAL FUND TOTAL	\$0	\$60,000

15 **JUDICIAL DEPARTMENT**

16 **DEPARTMENT TOTALS**

17		2015-16	2016-17
18	GENERAL FUND	\$0	\$60,000
19			
20	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$60,000

21 **MARINE RESOURCES, DEPARTMENT OF**

22 **Marine Patrol - Bureau of 0029**

23 Initiative: Provides funding for ballistic vests and vest carriers for law enforcement
24 officers.

25	GENERAL FUND	2015-16	2016-17
26	All Other	\$0	\$39,396
27			
28	GENERAL FUND TOTAL	\$0	\$39,396

29 **MARINE RESOURCES, DEPARTMENT OF**
30 **DEPARTMENT TOTALS**

31		2015-16	2016-17
32	GENERAL FUND	\$0	\$39,396
33			
34	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$39,396

COMMITTEE AMENDMENT

1	SECTION TOTALS	2015-16	2016-17
2			
3	GENERAL FUND	\$0	\$293,794
4			
5	SECTION TOTAL - ALL FUNDS	\$0	\$293,794
6			

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SUMMARY

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This amendment is the minority report. It adds security screeners in the State Capitol Building to the list of positions in which individuals must be issued ballistic vests. It also limits the application of the bill to individuals employed by the State. This amendment adds an appropriations and allocations section.

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FISCAL NOTE REQUIRED

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(See attached)



127th MAINE LEGISLATURE

LD 1536

LR 2463(03)

An Act To Provide Ballistic Vests to State Law Enforcement Officers

Fiscal Note for Bill as Amended by Committee Amendment "B (5-429)"
 Committee: Criminal Justice and Public Safety
 Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$293,794	\$16,000	\$16,000
Highway Fund	\$0	\$0	\$0	\$7,700
Appropriations/Allocations				
General Fund	\$0	\$293,794	\$16,000	\$16,000
Highway Fund	\$0	\$0	\$0	\$7,700

Fiscal Detail and Notes

The bill requires ballistic vests be provided to certain law enforcement officers and dogs engaged in law enforcement. The bill includes a General Fund appropriation of \$293,794 in fiscal year 2016-17 for the agencies below:

Agriculture, Conservation and Forestry	\$ 54,672
Corrections	129,726
Inland Fisheries and Wildlife	10,000
Judicial	60,000
Marine Resources	39,396
Total All Agencies	<u>\$ 293,794</u>