

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 1747

H. P. 1456

House of Representatives, April 8, 1975

Referred to Committee on Veterans and Retirement. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. LaPointe of Portland.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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### AN ACT to Increase Accidental Death Benefits Paid to Firemen, Policemen, Wardens and State Police.

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

**Sec. 1. 5 MRSA § 1125, sub-§ 1, first sentence, as last amended by PL 1965, c. 390, § 1, is further amended to read:**

If a member of the retirement system who is a member of a fire or police department shall die as the result of injury received in line of duty, his widow, or, if none, his child or children under age 18, jointly, shall receive an annual sum equal to ~~7/8~~ **the 100%** of the average final compensation of such member at time of his death.

**Sec. 2. 5 MRSA § 1125, sub-§ 1-A, first sentence, as last amended by PL 1973, c. 513, § 22, is further amended to read:**

If a member of the retirement system who is a member of the State Police, a law enforcement officer in the Department of Inland Fisheries and Game or a law enforcement officer in the Department of Marine Resources shall die as a result of an injury received in the line of duty his ~~beneficiary, if his widow, and if there is no surviving child or children under age 18, shall receive an annual sum equal to 2/3 of the current annual salary of the member, or his beneficiary, if his widow, if the member is survived by a widow and a child or children under age 18, jointly, shall be entitled to an annual sum equal to the current annual salary of the member, or his beneficiary, if his child or children, if the member is survived only by a child or children under age 18, jointly, shall receive an annual sum equal to the current annual salary of the member~~ widow, or, if none, his child or children under age 18, jointly, shall receive an annual sum equal to the current annual salary of the member.

**Sec. 3.** 5 MRSA § 1125, sub-§ 1-A, 2nd ¶, as enacted by PL 1965, c. 390, § 2, is repealed.

**Sec. 4.** 5 MRSA § 1125, sub-§ 2, first sentence, as last repealed and replaced by PL 1965, c. 390, § 3, is amended to read:

If a member of the State Police who is not a member of the Retirement System shall die as a result of injury received in line of duty, his widow shall receive an annual sum equal to  $\frac{2}{3}$  of current annual compensation, if the member was not survived by a child or children under age 18, or if he was survived by a widow and child or children under age 18, jointly, they shall receive an annual sum equal to the current annual salary such officer was earning at the time of his death, or if the officer was survived only by a child or children under age 18, jointly, they shall receive an annual sum equal to the current annual salary such officer was receiving at the time of his death or if none, his child or children under age 18, jointly, shall receive an annual sum equal to the current annual salary the officer was earning at the time of his death.

**Sec. 5.** 5 MRSA § 1125, sub-§ 2, 2nd ¶, as last repealed and replaced by PL 1965, c. 390, § 3, is repealed.

#### FISCAL NOTE

It is estimated that this legislation will result in a loss of revenue from the General Fund upon enactment, but due to the fact that the Maine State Retirement System has not had sufficient time in which to prepare the necessary estimate before the deadline for submission of all legislation such figures will have to be presented at the committee hearing.

#### STATEMENT OF FACT

This bill increases the death benefits paid to widows or if there is no widow, to the child or children of police officers, state police, firemen and wardens who die as a result of an injury received in the line of duty. Under this bill, benefits will be 100% of the current annual salary the officer was earning when he died.