

MAINE STATE LEGISLATURE

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2 of 3

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 236, L.D. 627, Bill, "An Act to Clarify the Role of Law Enforcement Officers in the Investigation of Medical Examiner Cases"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 22 MRSA §3028, sub-§2, as enacted by PL 1979, c. 538, §8, is repealed and the following enacted in its place:

2. Investigation by law enforcement officer. When death is not suspected to be the result of criminal violence, the medical examiner may elect not to proceed to the scene, or the Chief Medical Examiner may elect not to dispatch a medical examiner to the scene. If the medical examiner elects not to proceed to the scene, or the Chief Medical Examiner elects not to dispatch a medical examiner to the scene, the law enforcement officer in charge of the scene shall:

A. Investigate and photograph the scene as directed by the medical examiner or Office of the Chief Medical Examiner;

B. Take possession of all objects that in the opinion of the medical examiner or Office of the Chief Medical Examiner may be useful in establishing the cause, manner and circumstances of death;

C. Remove the body in accordance with the instructions of the medical examiner or Office of the Chief Medical Examiner; and

D. Make a report of the investigation available to the medical examiner or Office of the Chief Medical Examiner.

Sec. 2. 22 MRSA §3028, sub-§4, as enacted by PL 1979, c. 538, §8, is amended to read:

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4. Possession of useful objects. Except as otherwise directed by the Attorney General, his the Attorney General's deputies or his assistants, the medical examiner or Office of the Chief Medical Examiner may direct that a law enforcement officer at the scene make measurements, take photographs and take possession of all objects which that in the medical-examiner's opinion of the medical examiner or Office of the Chief Medical Examiner may be useful in establishing the cause and, manner and circumstances of death.

12

STATEMENT OF FACT

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The bill relates to the powers and duties of law enforcement officers to assist in the investigation of a death when the medical examiner does not proceed to the scene of the death. The amendment rewords the part of the bill relating to investigations by law enforcement officers without changing the substance of the bill.

Reported by Senator Mills for the Committee on Legal Affairs. Reproduced and Distributed Pursuant to Senate Rule 12.
(4/12/91)

(S-60)