

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 399

S.P. 120

In Senate, January 23, 1997

**An Act to Extend Certain Survivor Benefits to the Spouses of
Firefighters and Law Enforcement Officers and Expand the Definition of
Law Enforcement Officers.**

Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator AMERO of Cumberland.
Cosponsored by Senators: CATHCART of Penobscot, MILLS of Somerset, RAND of
Cumberland, SMALL of Sagadahoc, Representative: CIANCHETTE of South Portland.

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

2
3 **Sec. 1. 20-A MRSA §12551**, as amended by PL 1989, c. 502, Pt.
4 A, §61, is further amended to read:

6 **§12551. Purpose**

8 In recognition of the indispensable public service role
9 which that firefighters and law enforcement officers play in the
10 well-being of the people of this State, it is the purpose of this
11 chapter to provide for assistance to the children and spouse of
12 firefighters and law enforcement officers who are killed in the
13 line of duty so that these children and spouses may have the
14 opportunity to pursue a degree at one of the state post-secondary
15 postsecondary educational institutions.

16 **Sec. 2. 20-A MRSA §12552, sub-§2**, as enacted by PL 1985, c.
17 472, is amended to read:

18 **2. Law enforcement officer.** "Law enforcement officer"
19 means an active state police officer, municipal police officer,
20 county sheriff or deputy sheriff in this State. "Law enforcement
21 officer" also means an active game warden, fire marshal, liquor
22 enforcement officer or marine patrol officer, if employed on a
23 full-time basis in that position in this State.

24 **Sec. 3. 20-A MRSA §12553**, as amended by PL 1987, c. 402, Pt.
25 A, §124, is further amended to read:

26 **§12553. Tuition waiver**

27 The child or spouse of a firefighter or law enforcement
28 officer who has been killed or who has received an injury during
29 the performance of his that firefighter's or law enforcement
30 officer's duties, which results in death, may attend, as provided
31 in this section, any state post-secondary postsecondary
32 educational institution free of tuition charges.

33 **1. Eligibility of a child.** The child of a firefighter or
34 law enforcement officer ~~shall-be~~ is eligible for tuition waiver
35 under this chapter if he the child is:

36 A. The natural or legally adopted child of a firefighter or
37 law enforcement officer;

38 B. Is less than 21 years old at the time of the death of
39 the parent who is a firefighter or law enforcement officer;

40 C. A Maine resident;

2 D. A high school graduate or has attained equivalent
certification; and

4 E. Accepted for admission to a state post-secondary
postsecondary educational institution.

6 1-A. Eligibility of a spouse. The spouse of a firefighter
8 or law enforcement officer is eligible for tuition waiver under
this chapter if the spouse is:

10 A. Legally married to the firefighter or law enforcement
12 officer at the time of the firefighter's or law enforcement
officer's death;

14 B. A Maine resident;

16 C. A high school graduate or has attained equivalent
18 certification; and

20 D. Accepted for admission to a state postsecondary
22 educational institution.

24 2. **Limitation.** The tuition waiver provided by this chapter
shall-be is limited to undergraduate degree programs and shall-be
26 is limited to not more than 5 years of full-time enrollment or
its equivalent.

28 3. **Continuation.** The tuition waiver provided by this
chapter shall-be is awarded on a yearly basis and shall-continue
30 continues to be available, if the child or spouse is otherwise
32 eligible under this section, as long as the child or spouse
remains in good academic standing at a state institution.

34 SUMMARY

36 Current law provides a tuition waiver in state postsecondary
38 educational institutions to children of firefighters and law
enforcement officers, defined as police officers, county sheriffs
40 and deputy sheriffs, who are killed in line of duty.

42 This bill expands the definition of "law enforcement
officer" to include game wardens, fire marshals, liquor
44 enforcement officers and marine patrol officers. It also
provides eligibility for the tuition waiver to spouses of those
46 firefighters and law enforcement officers who are killed in the
line of duty.

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