

# MAINE STATE LEGISLATURE

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L.D. 1201

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DATE: May 14, 2001

(Filing No. S-192)

**LEGAL AND VETERANS AFFAIRS**

Reported by:

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 363, L.D. 1201, Bill, "An Act to Require the State to Provide Flags for Persons Who Are Listed on the Memorials Located on State Street in Augusta"

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

**'An Act to Require the State to Provide Flags for Persons Who Are Listed on the Law Enforcement Memorial Located on State Street in Augusta'**

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

**'Sec. 1. 25 MRSA §2916 is enacted to read:**

**§2916. Flags for public servants**

The commissioner shall provide a gravesite flag holder and flag for placement during the period of time designated by a national law enforcement organization for honoring law enforcement officers at the gravesite of each public servant listed on the law enforcement memorial located at the State Capitol complex memorial site in accordance with this section.

1. Fund established. The Flags for Public Servants Fund, referred to in this section as the "fund," is established as a nonlapsing fund. The commissioner may use this fund only to support the costs of providing flag holders and flags for public servants listed on the law enforcement memorial at the State Capitol complex memorial site. Revenue deposited in the fund pursuant to subsection 2 must be the sole source of funding for the costs of providing flags and flag holders.

**COMMITTEE AMENDMENT**

2 2. Revenue sources. The commissioner may accept  
3 court-mandated and private contributions intended to be used for  
4 the purposes of the fund. Any revenues accepted under this  
5 subsection must be deposited in the fund and used only for the  
6 purposes described in this section.

7 3. Budget. The commissioner shall submit a budget for the  
8 fund for each biennium pursuant to Title 5, sections 1663 and  
9 1666.

10 4. Gravesite flag holder and flag. The gravesite flag  
11 holder must include the State of Maine seal and the words "Law  
12 Enforcement Officer Killed in the Line of Duty" and a Maine  
13 flag. The state flag must be 12 inches by 8 inches in size.

14 5. Placement responsibility. The commissioner shall  
15 provide to each law enforcement agency the appropriate number of  
16 gravesite flag holders and flags for that agency to place on the  
17 gravesites of the agency's officers listed on the law enforcement  
18 memorial located at the State Capitol complex memorial site if  
19 the gravesites can be reasonably found. If an agency can not  
20 carry out the responsibilities of this subsection, then the  
21 commissioner shall designate the Bureau of State Police to place  
22 the flag holder and flag at the gravesite.

23 6. Exceptions. A gravesite flag holder and flag may not be  
24 placed on the gravesite of an officer listed on the law  
25 enforcement memorial at the State Capitol complex memorial site  
26 if the family of the officer objects or the placement is  
27 prohibited by cemetery rules.

28 **Sec. 2. Allocation.** The following funds are allocated from  
29 Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
<b>Administration - Public Safety</b>		
All Other	\$500	\$500
Provides initial allocations for the Flags for Public Servants Fund.'		

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48 Further amend the bill by inserting at the end before the  
49 summary the following:  
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FISCAL NOTE

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2001-02                      2002-03

APPROPRIATIONS/ALLOCATIONS

Other Funds	\$500	\$500
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This bill includes annual Other Special Revenue funds allocations of \$500 beginning in fiscal year 2001-02 for the Department of Public Safety to establish initial allocations for the Flags for Public Servants Fund.

The establishment of the Flags for Public Servants Fund will increase dedicated revenues collected by the Department of Public Safety. The amounts can not be determined at this time.'

SUMMARY

This amendment requires the Commissioner of Public Safety to provide flag holders and Maine flags for the gravesites of the officers listed on the law enforcement memorial, located in the State Capitol complex memorial site, if the gravesites can be reasonably found. This amendment also establishes the Flags For Public Servants Fund, to fund the costs of providing the flags and flag holders. It also requires that this fund be the sole revenue source for the flag and flag holder purchases. This amendment also requires that the agency that represents the slain officer place the flag holder and flag at the gravesite and if this can not be done, then the commissioner may designate the Bureau of State Police to place the flag holder and flag at the gravesite.

This amendment also adds an allocation section and a fiscal note to the bill.