

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 118, L.D. 371, Bill, "An Act To Distribute Revenue in the Law Enforcement Agency Reimbursement Fund to Municipalities and Counties"

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

'An Act To Distribute Revenue in the Law Enforcement Agency Reimbursement Fund to Municipalities and Counties and To Assist Law Enforcement Officers with Unmet Catastrophic Medical Needs'

Further amend the bill in section 1 in paragraph C in the 3rd line (page 1, line 8 in L.D.) by striking out the following: "to municipalities and counties"

Further amend the bill in section 2 by striking out all of subsection 4-C and inserting in its place the following:

'4-C. Use of fund balance. Any balance remaining in the Law Enforcement Agency Reimbursement Fund, established in subsection 4-B and referred to in this subsection as "the fund," at the end of the fiscal year must be distributed in accordance with this subsection.

A. The Treasurer of State shall transfer 10% of any balance in the fund to the Law Enforcement Benevolent Fund established in Title 25, section 3721.

B. Any remaining balance in the fund must be distributed to municipalities and counties by the Administrative Office of the Courts as follows.

COMMITTEE AMENDMENT

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(1) A municipality that employs at least one full-time law enforcement officer or that has a contract with a county to provide rural patrol services is entitled to reimbursement under this subparagraph. The level of reimbursement is determined by multiplying the municipal population factor by the balance remaining in the fund at the end of the fiscal year. For purposes of this subparagraph, the municipal population factor is determined by dividing the population of the municipality by the total population of the State, as determined by the last Federal Decennial Census or as determined and certified by the Department of Health and Human Services, whichever is more current. For purposes of this subparagraph, the Department of Health and Human Services shall determine the population of each municipality at least once every 2 years.

(2) If a municipality does not employ at least one full-time law enforcement officer or have a contract with a county to provide rural patrol services, the reimbursement must be provided to the county in which the nonqualifying municipality is located.'

Further amend the bill by inserting at the end before the summary the following:

'Sec. 3. 25 MRSA c. 403, sub-c. 3 is enacted to read:

SUBCHAPTER 3

LAW ENFORCEMENT BENEVOLENT FUND

§3721. Fund created

The Law Enforcement Benevolent Fund, referred to in this section as "the fund," is established as a nonlapsing fund within the Department of Public Safety.

1. Purpose. The fund must be used to provide financial and other assistance to fill the unmet needs of law enforcement officers injured in the line of duty and to cover uninsured medical expenses of law enforcement officers and members of their immediate families who suffer from nonwork-related illnesses or injuries.

2. Funds. Funds must be transferred to the fund by the Treasurer of State pursuant to Title 4, section 173, subsection 4-C, paragraph A. The fund also may be funded by appropriation or allocation and is authorized to accept grants or gifts from public and private entities. All funds received from any

REFS

COMMITTEE AMENDMENT "A" to S.P. 118, L.D. 371

2 source must be deposited in the fund and disbursed as provided in
3 this section.

4 3. Administration. The administration of the fund,
5 including the application process, establishment of eligibility
6 criteria, determination of eligibility and award of payments,
7 must be performed by a statewide association of chiefs of police
8 designated by the Attorney General.

10 4. Accounting. The entity administering the fund pursuant
11 to subsection 3 shall provide an annual accounting to the
12 Department of Public Safety showing the amount of funds received
13 by the fund during the previous year, how the funds were used
14 during that year and the funds remaining at the end of that year.

16 Sec. 4. Appropriations and allocations. The following
17 appropriations and allocations are made.

18 JUDICIAL DEPARTMENT

20 Courts - Supreme, Superior, District
21 and Administrative 0063

24 Initiative: Appropriates funds for a part-time Accounting Clerk
25 position to assist in the calculation and distribution of funds
26 to municipalities and counties.

28	GENERAL FUND	2005-06	2006-07
	Positions - FTE Count	0.200	0.200
30	Personal Services	\$8,996	\$8,996
32	GENERAL FUND TOTAL	<u>\$8,996</u>	<u>\$8,996</u>

34 Courts - Supreme, Superior, District
35 and Administrative 0063

36 Initiative: Authorizes the expenditure of funds to qualified
37 municipalities and counties for law enforcement reimbursement
38 activities.

42	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
	All Other	\$531,657	\$550,076
44	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$531,657</u>	<u>\$550,076</u>

46 JUDICIAL DEPARTMENT
47 DEPARTMENT TOTALS

48		2005-06	2006-07
	GENERAL FUND	\$8,996	\$8,996
50	OTHER SPECIAL REVENUE FUNDS	\$531,657	\$550,076

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COMMITTEE AMENDMENT "A" to S.P. 118, L.D. 371

2	DEPARTMENT TOTAL - ALL FUNDS	\$540,653	\$559,072
4	PUBLIC SAFETY, DEPARTMENT OF		
6	Administration - Public Safety		
8	Initiative: Provides initial allocations for the newly established Law Enforcement Benevolent Fund.		
10			
12	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
	All Other	\$59,073	\$61,120
14	OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,073	\$61,120
16	PUBLIC SAFETY, DEPARTMENT OF		
	DEPARTMENT TOTALS	2005-06	2006-07
18	OTHER SPECIAL REVENUE FUNDS	\$59,073	\$61,120
20	DEPARTMENT TOTAL - ALL FUNDS	\$59,073	\$61,120
22	SECTION TOTALS	2005-06	2006-07
24	GENERAL FUND	\$8,996	\$8,996
26	OTHER SPECIAL REVENUE FUNDS	\$590,730	\$611,196
28	SECTION TOTAL - ALL FUNDS	\$599,726	\$620,192'

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SUMMARY

34 This amendment creates the Law Enforcement Benevolent Fund to be used to meet the unmet financial needs of injured and ill law enforcement officers and their families. The amendment provides funds for that purpose by requiring that 10% of any balance in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year be transferred to the Law Enforcement Benevolent Fund. The benevolent fund may also be funded by direct appropriation or allocation and is authorized to accept grants or gifts. Funds remaining in the Law Enforcement Agency Reimbursement Fund after funds are transferred to the Law Enforcement Benevolent Fund are disbursed to municipalities and counties as provided in the bill.

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 371

LR 1125(02)

An Act To Distribute Revenue in the Law Enforcement Agency Reimbursement Fund to Municipalities and Counties

Fiscal Note for Bill as Amended by Committee Amendment **A**

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$599,699	\$620,192	\$635,697	\$651,589
Appropriations/Allocations				
General Fund	\$8,996	\$8,996	\$9,221	\$9,451
Other Special Revenue Funds	\$590,730	\$611,196	\$626,476	\$642,138
Revenue				
General Fund	(\$590,730)	(\$611,196)	(\$626,476)	(\$642,138)
Other Special Revenue Funds	\$590,730	\$611,196	\$626,476	\$642,138

Fiscal Detail and Notes

Requiring the balance in the Law Enforcement Agency Reimbursement Fund administered by the Judicial Department be distributed to qualifying municipalities and counties for law enforcement reimbursement activities as well as for a newly established Law Enforcement Benevolent Fund and not returned to the General Fund as current law requires will result in a loss of General Fund revenue of \$590,730 in fiscal year 2005-06 and \$611,196 in fiscal year 2006-07.

The bill includes General Fund appropriations of \$8,996 annually to the Judicial Department to calculate and distribute funds to municipalities and counties and additional Other Special Revenue allocations of \$531,657 and \$550,076 in fiscal years 2005-06 and 2006-07 respectively to authorize payments to qualified municipalities and counties. The Department of Public Safety will require additional Other Special Revenue allocations of \$59,073 and \$61,120 in fiscal years 2005-06 and 2006-07 to authorize expenditures from this newly established Law Enforcement Benevolent Fund.