

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 135, L.D. 393, Bill, "An Act Relating to Death Benefits for Certain Law Enforcement Officers"

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

'An Act Relating to Death Benefits for Certain Law Enforcement Officers and Amending the Definition of Emergency Vehicles'

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 20-A MRSA §12552, sub-§2, as amended by PL 1997, c. 160, §2, is further amended to read:

2. Law enforcement officer. "Law enforcement officer" means an active state police officer, municipal police officer, county sheriff or deputy sheriff in this State. "Law enforcement officer" also means an active game warden, fire marshal, liquor enforcement officer forest ranger, Baxter State Park ranger, detective employed by the Office of the Attorney General pursuant to Title 5, section 202, person employed by the Department of Corrections as an investigative officer as defined in Title 34-A, section 1001, subsection 10-A, juvenile community corrections officer as described in Title 34-A, section 5602, probation officer, security officer appointed by the Commissioner of Public Safety pursuant to Title 25, section 2908, motor vehicle investigator or supervisor appointed by the Secretary of State pursuant to Title 29-A, section 152, military security police officer appointed by the Adjutant General, University of Maine System police officer or marine patrol officer, if employed on a full-time basis in that position in this State.'

Amend the bill in section 1 in subsection 5 in the 2nd to last line (page 1, line 14 in L.D.) by inserting after the following: "motor vehicle investigator" the following: 'or supervisor'

Amend the bill in section 1 in subsection 5 in the last line (page 1, line 15 in L.D.) by inserting after the following: "section 152" the following: ', a military security police officer appointed by the Adjutant General, a University of Maine System police officer'

COMMITTEE AMENDMENT

AMS

COMMITTEE AMENDMENT "A" to S.P. 135, L.D. 393

1 Amend the bill by inserting after section 1 the following:

2 **'Sec. 2. 29-A MRSA §2054, sub-§1, ¶B,** as amended by PL 2007, c. 348, §18, is
3 further amended to read:

4 B. "Authorized emergency vehicle" means any one of the following vehicles:

5 (1) An ambulance;

6 (2) A Baxter State Park Authority vehicle operated by a Baxter State Park
7 ranger;

8 (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;

9 (4) A Department of Conservation vehicle operated by a forest ranger;

10 (5) A Department of Conservation vehicle used for forest fire control;

11 (6) A Department of Corrections vehicle used for responding to the escape of or
12 performing the high-security transfer of a prisoner, juvenile client or juvenile
13 detainee;

14 (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;

15 (8) A Department of Public Safety vehicle operated by a capital security officer
16 appointed pursuant to Title 25, section 2908, a state fire investigator or a Maine
17 Drug Enforcement Agency officer;

18 (9) An emergency medical service vehicle;

19 (10) A fire department vehicle;

20 (11) A hazardous material response vehicle, including a vehicle designed to
21 respond to a weapon of mass destruction;

22 (12) A railroad police vehicle;

23 (13) A sheriff's department vehicle;

24 (14) A State Police or municipal police department vehicle;

25 (15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when
26 authorized by the sheriff;

27 (16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an
28 assistant or deputy chief or a town forest fire warden;

29 (17) A vehicle operated by a qualified deputy sheriff or other qualified
30 individual to perform court security-related functions and services as authorized
31 by the State Court Administrator pursuant to Title 4, section 17, subsection 15;

32 (18) A Federal Government vehicle operated by a federal law enforcement
33 officer;

34 (19) A vehicle operated by a municipal rescue chief, deputy chief or assistant
35 chief;

R/S

1 (20) An Office of the Attorney General vehicle operated by a detective
2 appointed pursuant to Title 5, section 202; and

3 (21) A Department of the Secretary of State vehicle operated by a motor vehicle
4 investigator; and

5 (22) A University of Maine System vehicle operated by a University of Maine
6 System police officer.

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
8 section number to read consecutively.

9 **SUMMARY**

10 This amendment makes a number of changes to the bill.

11 1. It adds forest rangers, Baxter State Park rangers, detectives employed by the
12 Office of the Attorney General, investigative officers employed by the Department of
13 Corrections, juvenile community corrections officers, probation officers, certain security
14 officers appointed by the Commissioner of Public Safety, motor vehicle investigators or
15 supervisors appointed by the Secretary of State, military security police officers
16 appointed by the Adjutant General and University of Maine System police officers to the
17 definition of "law enforcement officer" in the Maine Revised Statutes, Title 20-A so that
18 survivors would receive tuition benefits to Maine colleges and universities in the event
19 that one of these officers died in the line of duty. It also removes liquor enforcement
20 officers from the definition because they no longer exist.

21 2. It adds a University of Maine System police officer and a military security police
22 officer appointed by the Adjutant General to the definition of "law enforcement officer"
23 so that the families of those officers are eligible for death benefits in the event that an
24 officer dies in the line of duty.

25 3. It clarifies that supervisors of motor vehicle investigators appointed by the
26 Secretary of State are eligible for benefits.

27 4. It adds University of Maine System vehicles operated by a University of Maine
28 System police officer to the definition of "authorized emergency vehicle."

29 5. It changes the title.

FISCAL NOTE REQUIRED

(See attached)



Approved: 04/30/09 *MAC*

124th MAINE LEGISLATURE

LD 393

LR 788(02)

An Act Relating to Death Benefits for Certain Law Enforcement Officers

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - Maine Budget Stabilization Fund

Fiscal Detail and Notes

Expanding the list of those eligible for the \$50,000 death benefit paid out of the Maine Budget Stabilization Fund may reduce the balance in that fund. The exact amount by fiscal year can not be determined at this time and will depend on the number of eligible individuals who die in the line of duty.