

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1558

S.P. 595

In Senate, December 17, 2009

An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Labor 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 JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and
Senator: GERZOFKY of Cumberland, Representative: Speaker PINGREE of North Haven.

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

2 **Sec. 1. 5 MRSA §18601**, as enacted by PL 1985, c. 801, §§5 and 7, is repealed
3 and the following enacted in its place:

4 **§18601. Definitions**

5 As used in this article, unless the context otherwise indicates, the following terms
6 have the following meanings.

7 **1. Professional firefighter.** "Professional firefighter" means an employee of a
8 municipal fire department who is a member of the Participating Local District Retirement
9 Program or who is a participating member under chapter 425 and who aids in the
10 extinguishment of fires, whether or not the employee has other administrative duties.

11 **2. Qualifying member.** "Qualifying member" means:

12 A. A member who dies as a result of an injury arising out of and in the course of
13 employment as an employee;

14 B. After October 31, 2004, a member who is a professional firefighter who dies as a
15 result of an injury or disease as described in Title 39-A, section 328 and the injury or
16 disease that caused the death is the result of a condition that developed within 6
17 months of the member's having been in service as a professional firefighter for a
18 municipal fire department; or

19 C. A former member receiving a disability retirement benefit who dies as a result of
20 an injury arising out of and in the course of employment as an employee.

21 **Sec. 2. Retroactivity.** This Act applies retroactively to November 1, 2004.

22 **SUMMARY**

23 This bill provides an accidental death benefit to the beneficiary of a professional
24 firefighter who dies from cardiovascular injury or disease or pulmonary disease as
25 described in the Maine Revised Statutes, Title 39-A, section 328 while in the line of duty.
26 The benefit applies only if the firefighter was a member of the Participating Local District
27 Retirement Program administered by the Maine Public Employees Retirement System
28 and the injury or disease that caused the firefighter's death is the result of a condition that
29 developed within 6 months of the firefighter's having been in service as a professional
30 firefighter for a municipal fire department. The bill also makes the death benefit
31 retroactive to November 1, 2004.