

# MAINE STATE LEGISLATURE

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L.D. 1536

Date: 3-23-16

(Filing No. S-428)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE**

**SENATE**

**127TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 598, L.D. 1536, Bill, "An Act To Provide Ballistic Vests to State Law Enforcement Officers"

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

**'An Act To Provide Ballistic Vests to State Law Enforcement Officers and Certain Other State Agents'**

Amend the bill by striking out all of section 1 and inserting the following:

**'Sec. 1. 25 MRSA c. 411 is enacted to read:**

**CHAPTER 411**

**BALLISTIC VESTS**

**§3851. Provision of ballistic vests for law enforcement**

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Ballistic vest" means a form of personal armor worn on the torso that prevents or restricts penetration by a projectile discharged by a firearm as defined in Title 17-A, section 2, subsection 12-A.**

**B. "Law enforcement officer" means an active:**

**(1) State police officer;**

**(2) Game warden or other law enforcement officer employed by the Department of Inland Fisheries and Wildlife or any bureau or division of the department;**

**(3) Employee of the Office of the State Fire Marshal who has law enforcement powers pursuant to section 2396, subsection 7;**

**(4) Judicial marshal;**

**COMMITTEE AMENDMENT**

- 1                   (5) Law enforcement officer in the Department of Marine Resources, including a
- 2                   marine patrol officer appointed by the Commissioner of Marine Resources;
- 3                   (6) Forest ranger employed by the Department of Agriculture, Conservation and
- 4                   Forestry, Bureau of Forestry or any bureau or division of the department;
- 5                   (7) State humane agent employed by the Department of Agriculture,
- 6                   Conservation and Forestry;
- 7                   (8) State criminal inspector or detective employed by the Office of the Attorney
- 8                   General pursuant to Title 5, sections 197 and 202, respectively;
- 9                   (9) Person employed by the Department of Corrections as an investigative
- 10                  officer as defined in Title 34-A, section 1001, subsection 10-A;
- 11                  (10) Probation officer;
- 12                  (11) Police officer appointed by the Commissioner of Public Safety pursuant to
- 13                  section 2908;
- 14                  (12) Military security police officer appointed by the Adjutant General;
- 15                  (13) Police officer in the Department of Public Safety, Bureau of Capitol Police;
- 16                  and
- 17                  (14) Motor vehicle investigator appointed by the Secretary of State pursuant to
- 18                  Title 29-A, section 152.

19                  "Law enforcement officer" does not include a federal law enforcement officer or

20                  federal attorney prosecuting for the State.

21                  **2. Provision of ballistic vests for law enforcement officers.** A law enforcement

22                  officer employed by the State must be provided a well-fitting, contemporary ballistic vest.

23                  **3. Provision of ballistic vests for dogs engaged in law enforcement.** If the State

24                  uses a dog for the purpose of aiding in law enforcement, the dog must be provided a well-

25                  fitting, contemporary ballistic vest.

26                  **4. Funding.** The State may accept public and private funds to implement the

27                  purposes of this chapter.

28                  **Sec. 2. Appropriations and allocations.** The following appropriations and

29                  allocations are made.

30                  **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

31                  **Forest Health and Monitoring Z233**

32                  Initiative: Provides funding for ballistic vests and vest carriers for forest ranger positions.

33	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
34	All Other	\$0	\$54,672
35		<hr/>	<hr/>

1	GENERAL FUND TOTAL	\$0	\$54,672
2	<b>AGRICULTURE, CONSERVATION AND</b>		
3	<b>FORESTRY, DEPARTMENT OF</b>		
4	<b>DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
5			
6	GENERAL FUND	\$0	\$54,672
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$54,672</b>
9	<b>CORRECTIONS, DEPARTMENT OF</b>		
10	<b>Administration - Corrections 0141</b>		
11	Initiative: Provides funding for ballistic vests.		
12	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
13	All Other	\$0	\$89,252
14			
15	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$89,252</b>
16	<b>CORRECTIONS, DEPARTMENT OF</b>		
17	<b>DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
18			
19	GENERAL FUND	\$0	\$89,252
20			
21	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$89,252</b>
22	<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>		
23	<b>Enforcement Operations - Inland Fisheries and Wildlife 0537</b>		
24	Initiative: Provides funding for ballistic K-9 vests.		
25	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
26	All Other	\$0	\$10,000
27			
28	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$10,000</b>

**COMMITTEE AMENDMENT**

1	<b>INLAND FISHERIES AND WILDLIFE,</b>		
2	<b>DEPARTMENT OF</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
4			
5	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$10,000</b>
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$10,000</b>

8 **JUDICIAL DEPARTMENT**

9 **Courts - Supreme, Superior and District 0063**

10 Initiative: Provides funding for ballistic vests for judicial marshals.

11	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
12	All Other	\$0	\$60,000
13			
14	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$60,000</b>

15 **JUDICIAL DEPARTMENT**

16 **DEPARTMENT TOTALS**

17 **GENERAL FUND**

18 **DEPARTMENT TOTAL - ALL FUNDS**

21 **MARINE RESOURCES, DEPARTMENT OF**

22 **Marine Patrol - Bureau of 0029**

23 Initiative: Provides funding for ballistic vests and vest carriers for law enforcement  
24 officers.

25	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
26	All Other	\$0	\$39,396
27			
28	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$39,396</b>

29 **MARINE RESOURCES, DEPARTMENT OF**  
30 **DEPARTMENT TOTALS**

31 **GENERAL FUND**

32 **DEPARTMENT TOTAL - ALL FUNDS**

1	<b>SECTION TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
2			
3	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$253,320</b>
4			
5	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$253,320</b>
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**SUMMARY**

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This amendment removes juvenile community corrections officers from the list of positions in which individuals must be issued ballistic vests. It also limits the application of the bill to individuals employed by the State. The amendment also adds an appropriations and allocations section.

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**FISCAL NOTE REQUIRED**

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(See attached)



# 127th MAINE LEGISLATURE

LD 1536

LR 2463(02)

## An Act To Provide Ballistic Vests to State Law Enforcement Officers

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-428)  
 Committee: Criminal Justice and Public Safety  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$253,320	\$16,000	\$16,000
Highway Fund	\$0	\$0	\$0	\$7,700
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$253,320	\$16,000	\$16,000
Highway Fund	\$0	\$0	\$0	\$7,700

#### Fiscal Detail and Notes

The bill requires ballistic vests be provided to certain law enforcement officers and dogs engaged in law enforcement. The bill includes a General Fund appropriation of \$253,320 in fiscal year 2016-17 for the agencies below:

Agriculture, Conservation and Forestry	\$ 54,672
Corrections	89,252
Inland Fisheries and Wildlife	10,000
Judicial	60,000
Marine Resources	39,396
Total All Agencies	<u>\$ 253,320</u>