

# MAINE STATE LEGISLATURE

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Date: 3/24/26

L.D. 669  
(Filing No. H-893)

**LABOR**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 437, L.D. 669, "An Act Regarding Labor"

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

**'An Act to Provide a Death Benefit for Department of Transportation Workers'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 5 MRSA §1532, sub-§6**, as amended by PL 2019, c. 658, §1, is further amended to read:

**6. Death benefits.** The Governor shall allocate funds from the stabilization fund as needed to pay benefits due pursuant to Title 25, chapter 195-A. Allocations may be made upon written request of the Chief of the State Police, the State Fire Marshal, the Director of Maine Emergency Medical Services or the Commissioner of Corrections or the Commissioner of Transportation and after consultation with the State Budget Officer.

**Sec. 2. 25 MRSA c. 195-A, headnote** is amended to read:

**CHAPTER 195-A**

**DEATH BENEFITS FOR LAW ENFORCEMENT OFFICERS, FIREFIGHTERS,  
EMERGENCY MEDICAL SERVICES PERSONS, DEPARTMENT OF  
CORRECTIONS LAW ENFORCEMENT OFFICERS AND CORRECTIONS  
OFFICERS AND DEPARTMENT OF TRANSPORTATION EMPLOYEES WHO  
DIE WHILE IN THE LINE OF DUTY**

**Sec. 3. 25 MRSA §1611, sub-§1-D** is enacted to read:

**1-D. Department of Transportation employee.** "Department of Transportation employee" means a person who is employed by the Department of Transportation and who performs official duties;

**COMMITTEE AMENDMENT**

- 1           A. On state or state aid highways;
- 2           B. On bridges, culverts and related structures;
- 3           C. On rail, port, aviation or transportation facilities under the authority or supervision
- 4           of the Department of Transportation;
- 5           D. In transportation construction or maintenance zones; or
- 6           E. On any other transportation project or property owned, maintained or administered
- 7           by the Department of Transportation.

8           A Department of Transportation employee is considered to be performing official duties  
 9           when acting within the scope of employment or authorization by the Department of  
 10           Transportation.

11           **Sec. 4. 25 MRSA §1612, sub-§1**, as amended by PL 2023, c. 433, §4, is further  
 12           amended to read:

13           **1. Amount; recipients.** In a case in which the chief determines under rules adopted  
 14           pursuant to this section that a law enforcement officer has died while in the line of duty, in  
 15           a case in which the State Fire Marshal determines under rules adopted pursuant to this  
 16           section that a firefighter has died while in the line of duty, in a case in which the director  
 17           determines under rules adopted pursuant to this section that an emergency medical services  
 18           person has died while in the line of duty or, in a case in which the Commissioner of  
 19           Corrections determines under rules adopted pursuant to this section that a Department of  
 20           Corrections law enforcement officer or corrections officer has died while in the line of duty  
 21           prior to July 1, 2021 or in a case in which the Commissioner of Transportation determines  
 22           under rules adopted pursuant to this section that a Department of Transportation employee  
 23           has died while performing official duties, the State shall pay a benefit of \$100,000. When  
 24           determining whether an individual has died while in the line of duty, the chief, the State  
 25           Fire Marshal, the director or the Commissioner of Corrections, as applicable, shall evaluate  
 26           whether an individual who died by suicide died as a result of events or actions experienced  
 27           by the individual while in the line of duty.

28           Beginning July 1, 2021 and annually thereafter, the benefit amount must be indexed to the  
 29           Consumer Price Index whenever there is a percentage increase in the Consumer Price Index  
 30           from July 1st to June 30th of the previous year. A firefighter, law enforcement officer,  
 31           emergency medical services person, Department of Corrections law enforcement officer or  
 32           corrections officer who dies while in the line of duty, or a Department of Transportation  
 33           employee who dies while performing official duties, must be paid the benefit amount as  
 34           indexed immediately prior to that firefighter's, law enforcement officer's, emergency  
 35           medical services person's, Department of Corrections law enforcement officer's or  
 36           corrections officer's or Department of Transportation employee's death. ~~The Department~~  
 37           ~~of Administrative and Financial Services shall adopt rules to calculate the annual~~  
 38           ~~percentage increase in the death benefit.~~

39           The State shall pay the benefit as follows:

- 40           A. If there is no surviving child of the firefighter, law enforcement officer, emergency
- 41           medical services person, Department of Corrections law enforcement officer or
- 42           corrections officer or Department of Transportation employee, to the surviving spouse
- 43           of the person;

1 B. If there is a surviving child or children and a surviving spouse of the firefighter, law  
2 enforcement officer, emergency medical services person, Department of Corrections  
3 law enforcement officer or corrections officer or Department of Transportation  
4 employee, 1/2 to the surviving child or children in equal shares and 1/2 to the surviving  
5 spouse;

6 C. If there is no surviving spouse of the firefighter, law enforcement officer,  
7 emergency medical services person, Department of Corrections law enforcement  
8 officer or corrections officer or Department of Transportation employee, to the child  
9 or children in equal shares; or

10 D. If there is no surviving child or spouse, to the parent or parents of the firefighter,  
11 law enforcement officer, emergency medical services person, Department of  
12 Corrections law enforcement officer or corrections officer or Department of  
13 Transportation employee in equal shares.

14 **Sec. 5. 25 MRSA §1612, sub-§2, ¶E** is enacted to read:

15 E. When the Commissioner of Transportation determines upon showing of need and  
16 prior to final action that the death of a Department of Transportation employee is a  
17 death for which a benefit will probably be paid, the commissioner may make an interim  
18 benefit payment not exceeding \$3,000 to the individual or individuals entitled to  
19 receive a benefit under subsection 1 in the manner set out in subsection 1.

20 **Sec. 6. 25 MRSA §1612, sub-§4**, as amended by PL 2023, c. 433, §7, is further  
21 amended to read:

22 **4. Repayment of interim payment; waiver.** If a final benefit is not paid, the recipient  
23 or recipients of any interim payment under subsection 2 are liable for repayment of the  
24 amount received. The State Fire Marshal in the case of a firefighter, the chief in the case  
25 of a law enforcement officer, the director in the case of an emergency medical services  
26 person ~~or~~, the Commissioner of Corrections in the case of a Department of Corrections law  
27 enforcement officer or a corrections officer or the Commissioner of Transportation in the  
28 case of a Department of Transportation employee may waive all or part of the repayment  
29 if that official determines that undue hardship would result from that repayment.

30 **Sec. 7. 25 MRSA §1612, sub-§8**, as amended by PL 2019, c. 658, §6, is further  
31 amended to read:

32 **8. Rulemaking.** The State Fire Marshal, the chief, the Emergency Medical Services'  
33 Board ~~and~~, the Department of Corrections and the Department of Transportation shall adopt  
34 rules to carry out the purposes of this section, ~~except that the Department of Administrative~~  
35 ~~and Financial Services shall adopt rules as required by subsection 1.~~ Rules adopted  
36 pursuant to this section are routine technical rules as defined in Title 5, chapter 375,  
37 subchapter 2-A.

38 **Sec. 8. State shall pay death benefits to families of James Brown and**  
39 **Dwayne Campbell.** Notwithstanding any provision of law to the contrary, the State shall  
40 pay a death benefit in the amount of \$100,000 to the family of James Brown and in the  
41 amount of \$100,000 to the family of Dwayne Campbell from the Maine Budget  
42 Stabilization Fund, as established in the Maine Revised Statutes, Title 5, section 1532,  
43 indexed to the Consumer Price Index, as defined in Title 25, section 1611, subsection 1-A  
44 and as described in Title 25, section 1612, subsection 1.'

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

3 **SUMMARY**

4 This amendment replaces the bill, which is a concept draft, and changes the title. The  
5 amendment adds Department of Transportation employees who die while performing  
6 official duties to the list of eligible persons whose families may receive a death benefit  
7 payment. The amendment removes the requirement in current law that the Department of  
8 Administrative and Financial Services adopt rules to calculate the annual percentage  
9 increase in the death benefit. The amendment requires the State to pay a death benefit to  
10 the families of Department of Transportation employees James Brown and Dwayne  
11 Campbell, who died January 13, 2026.

12 **FISCAL NOTE REQUIRED**  
13 (See attached)



# 132nd MAINE LEGISLATURE

LD 669

LR 1891(02)

An Act Regarding Labor

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Labor

Fiscal Note Required: Yes

*A (H-893)*

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## Fiscal Note

Current biennium cost increase - Maine Budget Stabilization Fund

### Fiscal Detail and Notes

Current law provides death benefit payments for law enforcement officers, firefighters, emergency medical services personnel and corrections officers who die while in the line of duty. The death benefit is \$100,000 indexed annually to the Consumer Price Index. This bill adds Department of Transportation employees who die while performing official duties to the list of eligible persons whose families may receive a death benefit payment. It also requires payment for 2 Department of Transportation employees who died in January 2026. Funding for death benefits comes from the Maine Budget Stabilization Fund.