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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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;

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

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

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

8 **JUDICIAL DEPARTMENT**

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

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

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

15 **JUDICIAL DEPARTMENT**

16 **DEPARTMENT TOTALS**

17 **2015-16** **2016-17**

18 **GENERAL FUND** **\$0** **\$60,000**

19

20 **DEPARTMENT TOTAL - ALL FUNDS** **\$0** **\$60,000**

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	GENERAL FUND	2015-16	2016-17
26	All Other	\$0	\$39,396
27			
28	GENERAL FUND TOTAL	\$0	\$39,396

29 **MARINE RESOURCES, DEPARTMENT OF**

30 **DEPARTMENT TOTALS**

31 **2015-16** **2016-17**

32 **GENERAL FUND** **\$0** **\$39,396**

33

34 **DEPARTMENT TOTAL - ALL FUNDS** **\$0** **\$39,396**

1	SECTION TOTALS	2015-16	2016-17
2			
3	GENERAL FUND	\$0	\$253,320
4			
5	SECTION TOTAL - ALL FUNDS	\$0	\$253,320
6			

7

SUMMARY

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

12

FISCAL NOTE REQUIRED

13

(See attached)