

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in §18601 in subsection 2 by striking out all of paragraph B (page 1, lines 14 to 18 in L.D.) and inserting the following:

‘B. After October 31, 2004, an active member who is a professional firefighter who dies as a result of an injury or disease as described in Title 39A, section 328 if the injury or disease that causes the death is the result of a condition that develops within 30 days of the active member's participating in firefighting or training or a drill that involves firefighting. If the professional firefighter dies after 30 days but within 6 months of participating in firefighting or training or a drill that involves firefighting, there is a rebuttable presumption that the death is the result of an injury arising out of and in the course of employment as a professional firefighter; or’

Amend the bill by inserting after section 1 the following:

‘Sec. 2. Rules. The Board of Trustees of the Maine Public Employees Retirement System shall adopt rules to implement this Act. These rules must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at least 30 days prior to final adoption. Rules adopted pursuant to this section are routine technical as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2A.’

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

SUMMARY

This amendment defines a qualifying member for accidental death benefits as a professional firefighter who dies as a result of developing a cardiovascular injury or disease or pulmonary disease resulting from a condition that develops within 30 days of participating in firefighting or training or a drill that involves firefighting. It also establishes a rebuttable presumption that if a professional firefighter develops a cardiovascular injury or disease or pulmonary disease and dies after 30 days, but within 6 months of participating in firefighting or training or a drill that involves firefighting, the firefighter's death is a result of firefighting activity. The amendment also directs the Board of Trustees of the Maine Public Employees Retirement System to establish rules to implement the bill. These rules are defined as routine technical rules and must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters before implementation.

FISCAL NOTE REQUIRED
(See attached)