

§328-D. Cardiovascular injury or disease and pulmonary disease suffered by a law enforcement officer or resulting in a law enforcement officer's death

Cardiovascular injury or disease and pulmonary disease suffered by a law enforcement officer or resulting in a law enforcement officer's death are governed by this section. [PL 2023, c. 445, §1 (NEW).]

1. Law enforcement officer defined. For the purposes of this section, "law enforcement officer" means an active member of a law enforcement agency, as defined in Title 5, section 4651, if the person is vested by law with the power to make arrests for crimes or serve criminal process, whether that power extends to all crimes or is limited to specific crimes and if the person holds a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

[PL 2023, c. 445, §1 (NEW).]

2. Presumption. There is a rebuttable presumption that a law enforcement officer received the injury or contracted the disease arising out of and in the course of employment, that sufficient notice of the injury or disease has been given and that the injury or disease was not occasioned by the willful intention of the law enforcement officer to cause self-injury or injury to another if the law enforcement officer has been an active member of a law enforcement agency, as defined in Title 5, section 4651, for at least 2 years prior to a cardiovascular injury or the onset of a cardiovascular disease or pulmonary disease and if:

A. The disease has developed or the injury has occurred within 6 months of having participated in law enforcement activities or in a training or drill that involved law enforcement activities; or [PL 2023, c. 445, §1 (NEW).]

B. The law enforcement officer had developed the disease or had suffered the injury that resulted in death within 6 months of having participated in law enforcement activities or in a training or drill that involved law enforcement activities. [PL 2023, c. 445, §1 (NEW).]

[PL 2023, c. 445, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 445, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.