

**§18601. Definitions**

As used in this article, unless the context otherwise indicates, the following terms have the following meanings. [PL 2009, c. 513, §1 (RPR); PL 2009, c. 513, §3 (AFF).]

**1. Professional firefighter.** "Professional firefighter" means an employee of a municipal fire department who is a member of the Participating Local District Retirement Program or who is a participating member under chapter 425 and who aids in the extinguishment of fires, whether or not the employee has other administrative duties.

[PL 2009, c. 513, §1 (NEW); PL 2009, c. 513, §3 (AFF).]

**2. Qualifying member.** "Qualifying member" means:

A. A member who dies as a result of an injury arising out of and in the course of employment as an employee; [PL 2009, c. 513, §1 (NEW); PL 2009, c. 513, §3 (AFF).]

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 39-A, 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 [PL 2009, c. 513, §1 (NEW); PL 2009, c. 513, §3 (AFF).]

C. A former member receiving a disability retirement benefit who dies as a result of an injury arising out of and in the course of employment as an employee. [PL 2009, c. 513, §1 (NEW); PL 2009, c. 513, §3 (AFF).]

[PL 2009, c. 513, §1 (NEW); PL 2009, c. 513, §3 (AFF).]

**SECTION HISTORY**

PL 1985, c. 801, §§5,7 (NEW). PL 2009, c. 513, §1 (RPR). PL 2009, c. 513, §3 (AFF).

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