

MAINE STATE LEGISLATURE

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(New Title)
New draft of: H. P. 6, L. D. 6

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1578

H. P. 1252

House of Representatives, April 2, 1971

Reported by a Majority of the Committee on Judiciary and printed under
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Indemnify Public Officials and Employees of the State of Maine.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 5, c. 65, additional. Title 5 of the Revised Statutes is amended by
adding a new chapter 65 to read as follows:

CHAPTER 65

INDEMNIFICATION OF PUBLIC OFFICIALS

§ 801. Indemnification of public officials

Every director, officer or employee of a public body created by the Constitution of the State of Maine, or the Legislature of the State of Maine, or any state employee shall have the right to be indemnified from funds available to the public body or the State against judgments and expenses actually and reasonably incurred by him in connection with the defense of any action, suit or proceeding in which he is made a party by reason of being or having been such director, officer or employee, except in relation to matters as to which he shall be adjudged in such action, suit or proceeding to be liable for bad faith misconduct in the performance of his duty as an elected or appointed governmental official or employee. No officer, director or employee shall be indemnified for the fees of legal counsel unless the prior consent and approval of the indemnifying body is obtained regarding the legal counsel. Notwithstanding anything mentioned in this section, the officer, director or employee shall have the right to counsel of his choosing at his own expense.