

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 416

S. P. 130

In Senate, January 29, 1975

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Merrill of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Immunity of State Officers and Employees from Personal Liability.

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

5 MRSA, § 13 is enacted to read:

§ 13. Immunity of state employees from personal liability

No state officer or employee shall be personally liable for damage or injury not wanton or willful, caused in the performance of his duties and within the scope of his employment.

In any action brought by any person to recover damages for wanton or willful damage or injury caused in the performance of duties and within the scope of employment of any state officer or employee, the property or interests in property, real or personal, of any state officer or employee, shall not be subject to attachment.

STATEMENT OF FACT

The purpose of this legislation is to preclude personal liability by suit or attachment for certain activities involving state employees acting within the scope of employment in the performance of duty and without professional liability insurance.