

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 635

H. P. 517

House of Representatives, February 24, 1977

On motion of Mr. Lynch of Livermore Falls, referred to Committee on Education. Sent up for concurrence and 2,000 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bagley of Winthrop.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Corporal Punishment.

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

Sec. 1. 17-A MRSA § 106, sub-§ 1, as enacted by PL 1975, c. 499, § 1, is amended to read:

1. A parent, foster parent, guardian or other similar person responsible for the long term general care and welfare of a person, **or a person entrusted with the care or supervision of a person for special and limited purposes**, is justified in using a reasonable degree of force against such person when and to the extent that he reasonably believes it necessary to prevent or punish such person's misconduct. A person to whom such parent, foster parent, guardian or other responsible person has expressly delegated permission to so prevent or punish misconduct is similarly justified in using a reasonable degree of force.

Sec. 2. 17-A MRSA § 106, sub-§ 2, as enacted by PL 1975, c. 499, § 1, is repealed.

STATEMENT OF FACT

The purpose of this bill is to provide that a person entrusted with the care and supervision of a person for special and limited purposes, such as a teacher, is justified in using a reasonable degree of force when he reasonably believes it necessary to prevent or punish that person's misconduct.