

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 384, L.D. 467)  
2 (New Title)

3 FIRST REGULAR SESSION  
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE  
6

7 Legislative Document

No. 1324

8  
9 H.P. 1023

House of Representatives, March 28, 1983

10 Reported by Majority from the Committee on Education and printed  
11 under Joint Rule 2.

12 EDWIN H. PERT, Clerk

13  
14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-THREE  
18

19 AN ACT to Prohibit Hazing at  
20 Post-secondary Institutions.  
21

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

24 20-A MRSA §10004 is enacted to read:

25 §10004. Prohibition of hazing

26 1. Definitions. As used in this section, unless  
27 the context indicates otherwise, the following terms  
28 have the following meanings.

29 A. "Injurious hazing" means any action or situa-  
30 tion which recklessly or intentionally endangers  
31 the mental or physical health of a student  
32 enrolled at an institution in this State.

1           B. "Institution" means any post-secondary insti-  
2 tution incorporated or chartered under the laws  
3 of this State.

4           C. "Trustees" means trustees or the governing  
5 board of every post-secondary institution  
6 incorporated or chartered under the laws of this  
7 State.

8           D. "Violator" means any person or any organiza-  
9 tion which engages in hazing.

10           2. Adoption of rules. The trustees shall adopt  
11 rules:

12           A. For the maintenance of public order; and

13           B. Prohibiting injurious hazing by any student,  
14 faculty member, group or organization affiliated  
15 with the institution, either on or off campus.

16           3. Penalties. The trustees shall establish pen-  
17 alties for violation of the rules established in sub-  
18 section 2. The penalties shall include, but not be  
19 limited to, provisions for:

20           A. In the case of a person not associated with  
21 the institution, the ejection of the violator  
22 from the campus or institution property;

23           B. In the case of a student administrator or  
24 faculty violator, the individual's suspension,  
25 expulsion or other appropriate disciplinary ac-  
26 tion; and

27           C. In the case of an organization affiliated  
28 with the institution which authorizes hazing,  
29 recision of permission for that organization to  
30 operate on campus property or receive any other  
31 benefit of affiliation with the institution.

32           These penalties shall be in addition to any other  
33 civil or criminal penalty to which the violator or  
34 organization may be subject.

35           4. Administrative responsibility. The trustees  
36 shall assign responsibility for administering the

1 rules to an administrative officer of the institution  
2 and establish procedures for appealing the action or  
3 lack of action of the officer.

4 5. Dissemination. The trustees shall clearly set  
5 forth the rules and penalties and shall give a copy  
6 of them to all students enrolled in the institution.

7 6. Bylaws of organizations. The rules shall be  
8 part of the bylaws of all organizations affiliated  
9 with the institution.

10

#### STATEMENT OF FACT

11 This new draft requires post-secondary insti-  
12 tutions to adopt rules prohibiting injurious hazing  
13 or other actions which harm the mental or physical  
14 health of a student. The intent is to prevent any  
15 further possibility of serious injury resulting from  
16 the hazing involved in the initiation of a student  
17 into a campus organization.

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