

1 2	SECOND REGULAR SESSION
3 4	ONE HUNDRED AND ELEVENTH LEGISLATURE
5 6	Legislative Document No. 1926
7 8 9 10	S.P. 694 In Senate, January 10, 1984 Reference to the Committee on Judiciary is suggested. Ordered printed and sent up for concurrence. JOY J. O'BRIEN, Secretary of the Senate Presented by Senator Trafton of Androscoggin.
11 12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-FOUR
17 18 19 20	AN ACT To Clarify Authority and Limit Liability Issues in Community Service Work Programs.
21 22	Be it enacted by the People of the State of Maine as follows:
23 24 25	Sec. 1. 17-A MRSA §1204, sub-§2-A, ¶L, as repealed and replaced by PL 1977, c. 53, §4, is amended to read:
26 27 28 29 . 30 . 31 32 33 34 35	L. To perform specified work for the benefit of the State; a county; a municipality; a School Ad- ministrative District; other public entity a gov- ernmental entity, political subdivision or a charitable institution, under appropriate super- vision and as the court may direct, provided that the convicted person who performs those services shall not be deemed to be an employee for any purpose and shall not be subject to Title 39, chapter 1, the Workers' Compensation Act; or

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1 Sec. 2. 17-A MRSA §1304, sub-§2, as enacted by PL 2 1975, c.499, §1, is amended to read:

3 If it appears that the default in the payment 2. of a fine is excusable, the court may make an order 4 5 allowing the offender additional time for payment, 6 reducing the amount thereof of the fine or of each 7 installment, placing the offender on supervised probation to perform specified services for the communi-8 ty pursuant to section 1204, subsection 2-A, para-9 graph L, in lieu of the fine or unpaid portion of the 10 11 fine, or revoking the fine or the unpaid portion thereof of the fine in whole or in part. 12

STATEMENT OF FACT

The purpose of this bill is to clarify the statu-15 tory authority for imposing community service work 16 orders in lieu of unpaid fines and to limit potential 17 workers' compensation and tort liability claims associated with these programs. 18

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Page 2-L.D. 1926

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