

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 261

H.P. 209 House of Representatives, February 5, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative HOGLUND of Portland.
Cosponsored by Senator BRANNIGAN of Cumberland,
Representatives ALLEN of Washington and RAND of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Amend the Maine Tort Claim Relating
2 to Personal Liability of Employees of
3 a Governmental Entity.
4

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

7 14 MRSA §8103, sub-§3, as amended by PL 1985, c.
8 599, §2, is further amended to read:

9 3. Personal liability; employee of a governmen-
10 tal entity. Except as otherwise expressly provided by
11 section 8111 or by any other law, an employee of a
12 governmental entity acting within the course and
13 scope of his employment shall be personally liable
14 for his negligent acts or omissions causing property
15 damage, emotional or mental distress, bodily injury
16 or death in instances in which the governmental enti-

ty is immune under this section only to a limit of \$10,000 for any and all such claims arising out of a single occurrence and shall not be liable for the amount in excess of that limit on any such claim.

5 STATEMENT OF FACT

6 The purpose of this bill is to include emotional
7 or mental distress among those damages for which an
8 employee of a governmental entity may be found lia-
9 ble.

10 1170011287

UNION OF STATE

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OFFICE OF THE ATTORNEY GENERAL

MASSACHUSETTS ATTORNEY GENERAL
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CHARLESTOWN, MASSACHUSETTS 02129

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