

# MAINE STATE LEGISLATURE

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(After Deadline)  
SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

No. 2383

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S.P. 914 In Senate, February 29, 1988  
Approved for Introduction by a Majority of the Legislative  
Council pursuant to Joint Rule 27.

Reference to the Committee on State and Local Government  
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator TUTTLE of York.

Cosponsored by Representative CARROLL of Gray,  
Representative LACROIX of Oakland, Representative WENTWORTH of  
Wells.

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STATE OF MAINE

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

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1 AN ACT Relating to Legal Expenses Incurred by  
2 State Employees in the Execution of their  
3 Official Duties.  
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5 Be it enacted by the People of the State of Maine as  
6 follows:

7 15 MRSA §1905 is enacted to read:

1 §1905. State reimbursement of costs and attorneys'  
2 fees to employees

3 An employee of the State or any of its political  
4 subdivisions who is the subject of criminal charges  
5 arising out of the employee's conduct or omission  
6 while acting within the course and scope of the  
7 employee's employment shall be reimbursed by the State  
8 for the aggregate amount of costs and expenses  
9 determined by the court to have been reasonably  
10 incurred in connection with the successful defense of  
11 the action, together with a reasonable amount for  
12 attorneys' fees. The State shall not be required to  
13 reimburse the employee for costs and attorneys' fees  
14 if the employee is ultimately found guilty of those  
15 criminal charges. For purposes of this section,  
16 "employee," "political subdivision" and "State" have  
17 the same meaning as set out in Title 14, section 8102.

18 STATEMENT OF FACT

19 This bill requires the State to pay reasonable  
20 attorneys' fees and costs for state employees who  
21 successfully defend themselves against criminal  
22 charges arising out of their actions during the course  
23 and scope of their employment.

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