

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1396

S.P. 508

In Senate, April 27, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative CONLEY of Portland and Representative RAND of Portland.

STATE OF MAINE

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

**An Act to Protect Maine Workers from Needless Injury and Death by Creating
the Offenses of Work-related Manslaughter and Work-related Aggravated Assault.**



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

3 Sec. 1. 17-A MRSA §203, sub-§1, ¶A, as repealed and replaced
by PL 1977, c. 510, §40, is amended to read:

5 A. Recklessly, or with criminal negligence, causes the
7 death of another human being; or

9 Sec. 2. 17-A MRSA §203, sub-§1, ¶B, as repealed and replaced by
PL 1983, c. 372, §2, is amended to read:

11 B. Intentionally or knowingly causes the death of another
13 human being under circumstances which do not constitute
murder because he the person causes the death while under
15 the influence of extreme anger or extreme fear brought about
by adequate provocation. Adequate provocation has the same
17 meaning as in section 201, subsection 4. The fact that he
the person causes the death while under the influence of
19 extreme anger or extreme fear brought about by adequate
provocation constitutes a mitigating circumstance reducing
21 murder to manslaughter and need not be proved in any
prosecution initiated under this subsection; or

23 Sec. 3. 17-A MRSA §203, sub-§1, ¶C is enacted to read:

25 C. While having the direction, management, control or
27 custody of any employment, place of employment or employee,
intentionally or by negligence violates any occupational
29 health or safety standard promulgated by the State
31 Government or Federal Government or any of their agencies,
if that violation causes death to an employee.

33 Sec. 4. 17-A MRSA §208, as amended by PL 1981, c. 317, §6, is
35 repealed and the following enacted in its place:

37 §208. Aggravated assault

39 1. A person is guilty of aggravated assault if that person:

41 A. Intentionally, knowingly or recklessly causes serious
bodily injury to another;

43 B. Intentionally, knowingly or recklessly causes bodily
injury to another with use of a dangerous weapon;

45 C. Intentionally, knowingly or recklessly causes bodily
47 injury to another under circumstances manifesting extreme
49 indifference to the value of human life. Such circumstances
51 include, but are not limited to, the number, location or
nature of the injuries, the manner or method inflicted or
the observable physical condition of the victim; or

