

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1128

S.P. 416

In Senate, March 18, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

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

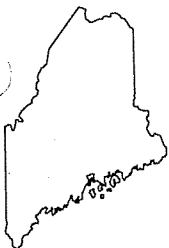
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by Senator HOLLOWAY of Lincoln, Senator CONLEY of Cumberland and
Representative RICHARDS of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Clarify the Laws on Manslaughter in the Workplace.



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

2
4 17-A MRSA §203, sub-§1, ¶C, as amended by PL 1989, c. 873, is further amended to read:

6 C. Has direct and personal management or control of any
8 employment, place of employment or other employee, and
10 intentionally or knowingly violates any occupational safety
12 or health standard of this State or the Federal Government,
and that violation in fact causes the death of an employee
and that death is a reasonably foreseeable consequence of
the violation. This paragraph does not apply to:

14 (1) Any person who performs a public function either
16 on a volunteer basis or for minimal compensation for
services rendered; or

18 (2) Any public employee or employee of a
20 quasi-municipal corporation responding to or acting at
22 a life-threatening situation who is forced to make and
does make a judgment reasonably calculated to save the
life of a human being.

24 For the purposes of this paragraph, "quasi-municipal
26 corporation" means a public corporation organized for the
sole purpose of performing one or more municipal functions.

28 **STATEMENT OF FACT**

30 This bill exempts employees of quasi-municipal corporations
32 from the workplace manslaughter laws when they are acting in
life-threatening situations.
34