

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 1988

H.P. 1424

House of Representatives, January 14, 1998

**An Act to Amend the Laws Governing Liability Associated with
Juvenile Offenders Who Participate in Community Service Programs.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PIEH of Bremen.
Cosponsored by Senator PINGREE of Knox and
Representatives: KANE of Saco, LOVETT of Scarborough, MITCHELL of Vassalboro,
MUSE of South Portland, O'BRIEN of Augusta, PEAVEY of Woolwich, POVICH of
Ellsworth, Senator: KILKELLY of Lincoln.

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

4 **Sec. 1. 14 MRSA §8102, sub-§1,** as amended by PL 1995, c. 196,
Pt. D, §1, is further amended to read:

6 1. **Employee.** "Employee" means a person acting on behalf
8 of a governmental entity in any official capacity, whether
temporarily or permanently, and whether with or without
10 compensation from local, state or federal funds, including
elected or appointed officials; volunteer firefighters as defined
12 in Title 30-A, section 3151; emergency medical service personnel;
members and staff of the Consumer Advisory Board pursuant to
14 Title 34-B, section 1216; members of the Maine National Guard but
only while performing state active service pursuant to Title
16 37-B; juveniles performing in a supervised work or service
program or providing restitution under Title 15, section 3301 or
3314; and sheriffs' deputies as defined in Title 30-A, section
18 381 when they are serving orders pursuant to section 3135, but
the term "employee" does not mean a person or other legal entity
20 acting in the capacity of an independent contractor under
contract to the governmental entity.

22
24 **SUMMARY**

26 This bill provides coverage under the Maine Tort Claims Act
for juveniles performing community service or restitution.