

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
102nd LEGISLATURE

SENATE AMENDMENT "B" to S. P. 567, L. D. 1580, Bill, "An Act
Relating to Liability for Damages for Tortious Conduct
of Charitable Corporations."

Amend said Bill in the Title by inserting before the period
the words 'and Governmental Agencies'

Further amend said Bill by inserting at the beginning of the
first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the
following:

"Sec. 2. R. S., T. 14, §157, additional. Title 14 of the
Revised Statutes is amended by adding a new section 157 to read
as follows:

'§157. --Governmental agencies

The State of Maine or any political subdivision thereof or
any quasi-municipal corporation or quasi-governmental agency,
whether acting in its governmental or proprietary capacity, shall
be considered to have waived its immunity from liability for
damages arising out of its negligent operation of a motor
vehicle during the period a policy of insurance is effective
covering the liability of such governmental agency. Each policy
of insurance issued to such governmental agency shall contain a
provision to the effect that the insurer shall be estopped from
asserting, as a defense to any claim covered by said policy, that
such governmental agency is immune from liability on the ground
that it is a governmental agency. The amount of damages in any
such case shall not exceed the limits of coverage specified in the
policy, and the courts shall abate any verdict in any such action
to the extent that it exceeds such policy limit."

Proposed by Senator STERN of Penobscot
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