

MAINE STATE LEGISLATURE

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NEW DRAFT OF: S. P. 206, L. D. 587

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1580

S. P. 567

In Senate, May 24, 1965

Reported by Senator Violette of Aroostook, from Committee on Judiciary.
Printed under Joint Rules No. 10.

EDWIN H. PERT, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Liability for Damages for Tortious Conduct of Charitable Corporations.

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

R. S., T. 14, § 156, additional. Title 14 of the Revised Statutes is amended by adding a new section 156 to read as follows:

‘§ 156. Damages for tortious conduct of charitable corporations

A charitable organization shall be considered to have waived its immunity from liability for negligence or any other tort during the period a policy of insurance is effective covering the liability of the charitable organization for negligence or any other tort. Each policy issued to a charitable organization 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 organization is immune from liability on the ground that it is a charitable organization. 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.’