

# MAINE STATE LEGISLATURE

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(Governor's Bill)  
SECOND REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1794**

H. P. 1686

House of Representatives, January 10, 1980

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Elias of Madison.

Cosponsors: Mr. K. Brown of Mexico and Mr. Strout of Corinth.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

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**AN ACT Relating to State Liability for Damages Suffered on Certain State and State Aid Highways.**

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

**23 MRSA § 1451, first sentence**, is amended to read:

The State shall be liable to towns and counties for any judgment recovered in any action against such town or county and for reasonable attorney fees, costs and expense incurred in defending such action under sections 3655 to 3658 and 3701, but only when pertaining to those state and state aid highways to the improvement of which the State has contributed **and which do not lie within a compact area as defined by section 2**; or to which sections 802 or 1001 may apply.

STATEMENT OF FACT

The purpose of this bill is to release the State from reimbursement liability on those roads where the State has no maintenance responsibility.