

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 474

H. P. 427

House of Representatives, January 28, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Davies of Orono.

STATE OF MAINE

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

AN ACT to Amend the Maine Tort Claims Act to Remove Restrictions on Governmental Liability for Negligent Acts which Result in the Discharge of Certain Toxic Substances.

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

14 MRSA § 8104, sub-§ 3, as repealed and replaced by PL 1977, c. 578, § 2, is amended to read:

3. In the ~~sudden and accidental~~ discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalines, toxic chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or any water course or body of water; and

STATEMENT OF FACT

The intent of this bill is to remove unreasonable restrictions on governmental liability for negligent acts which result in injury to persons or property through the release of highly dangerous toxic substances.