

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 722

S.P. 271

In Senate, March 2, 1995

**An Act to Grant Immunity from Suit for Officers and Directors of Fish
and Game Clubs.**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script, reading "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator HANLEY of Oxford.
Cosponsored by Senators: BENOIT of Franklin, CAREY of Kennebec, HALL of Piscataquis,
MICHAUD of Penobscot, Representatives: UNDERWOOD of Oxford, WATERHOUSE of
Bridgton, WINSOR of Norway.

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

Sec. 1. 14 MRSA §158-A, sub-§1, ¶A, as amended by PL 1991, c. 795, §1, is further amended to read:

A. "Charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State:

(1) That is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a), because it is described in Section 501(c)(3), (4), (6) as it pertains to chambers of commerce only, (10), (13) or (14)(A), including all subsequent amendments to those paragraphs. An organization is included in this subparagraph if it would be exempt from taxation under Section 501(c)(3) but for its engaging in attempting to influence legislation to the extent that it is disqualified from tax exemption under Section 501(c)(3); or

(2) That is:

(a) Organized under the Maine Nonprofit Corporation Act for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A;

(b) Organized under the provisions set forth in Title 13-B, section 201, subsection 2, paragraph A;

(c) Organized under the provisions of Title 13-B, section 201, subsection 3, paragraph D or E;

(d) Organized in Maine as a nonprofit corporation before January 1, 1978, for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A, and to which the Maine Nonprofit Corporation Act applies; ~~or~~

(e) Organized as a rural electrification cooperative under the provisions of Title 35-A, chapter 37-~~;~~ or

(f) Organized as a nonprofit organization to promote fishing, hunting and related sporting activities, including riflery.

This subparagraph applies to all subsequent amendments to the statutes covered by divisions (a), (b), (c), (d) and (e).

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STATEMENT OF FACT

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This bill expands the types of organizations that may claim charitable immunity from torts for the officers, directors and volunteers of those organizations to include fish and game clubs.