

# MAINE STATE LEGISLATURE

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123

L.D. 1024

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 750, L.D. 1024, Bill, "An Act to Allow for Decreased Municipal Liability Regarding Ice-skating Rinks"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 8 MRSA §622, sub-§2, as enacted by PL 1991, c. 648, is amended to read:

2. Operator. "Operator" means a private person or entity who owns or controls or who has operational responsibility for an ice-skating rink, -- An "operator" does not include, including the State or a political subdivision of the State.

Sec. 2. 8 MRSA §626, as enacted by PL 1991, c. 648, is amended to read:

§626. Violation; liability

A skater or operator who violates this chapter is liable to an injured person in a civil action for damages resulting from the violation. Any claim against the State or a political subdivision of the State as an operator of an ice-skating rink must proceed in accordance with the Maine Tort Claims Act, Title 14, chapter 741.

Sec. 3. 14 MRSA §8104-A, sub-§5 is enacted to read:

COMMITTEE AMENDMENT

R. O. S.

COMMITTEE AMENDMENT "A" to H.P. 750, L.D. 1024

2 5. Indoor ice-skating rink. A governmental entity as an  
3 operator of an indoor ice-skating rink is liable to an injured  
4 person for damages resulting from the governmental entity's  
5 violation of the Ice-skating Safety Act, Title 8, chapter 24.'

6 Further amend the bill by inserting at the end before the  
7 statement of fact the following:

8

**FISCAL NOTE**

10

11 This bill may decrease the number of civil suits filed in  
12 the court system. The Judicial Department may realize some minor  
13 savings from reductions of workload and administrative costs  
14 associated with the minimal number of cases that will no longer  
15 be filed. Reductions in the collection of filing fees may  
16 decrease General Fund revenue by minor amounts.'

18

**STATEMENT OF FACT**

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21 This amendment replaces the original bill and provides that  
22 the State and political subdivisions of the State are subject to  
23 the provisions of the Ice-skating Safety Act. The amendment also  
24 states that any claim against the state or a political  
25 subdivision of the State must proceed under the Maine Tort Claims  
26 Act. The Maine Tort Claims Act is amended to reflect that the  
27 governmental entity's responsibilities are as provided in the  
28 Ice-skating Safety Act. This amendment also adds a fiscal note  
to the bill.