

MAINE STATE LEGISLATURE

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ROES

L.D. 759

Date: 6/6/13

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Minority
JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 510, L.D. 759, Bill, "An Act To Hold Harmless a Municipality For Volunteer or Unpaid Labor"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 14 MRSA §158-C is enacted to read:

§158-C. Limited liability of municipality

1. Liability limited. A municipality is not liable for a claim arising from damage to the property of or the death of or injury to a juvenile or adult participating in a supervised work or service program, performing community service or providing restitution under Title 15, section 3301 or 3314 or Title 17-A, chapter 54-C or providing volunteer services.

2. No effect on other liability or immunity. Nothing in this section creates liability for any claim or waives any immunity otherwise available.

3. Volunteer services. This section does not affect the eligibility for workers' compensation of firefighters as defined in Title 39-A, section 102, subsection 11, paragraph A, subparagraph (2).'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary. The amendment replaces the bill, which amends the Maine Tort Claims Act, and instead provides that a municipality is not liable for death, personal injury or property damage suffered by a juvenile or adult who is participating in a supervised work or service program, performing community service or providing restitution or providing volunteer services. The amendment does not create liability for any claim, does not waive any existing immunity and does not affect the application of the workers' compensation laws to volunteer firefighters.