



128th MAINE LEGISLATURE

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Legislative Document

No. 280

H.P. 213

House of Representatives, January 31, 2017

An Act To Include Tax-exempt, Nonprofit Regional Transportation Providers under the Maine Tort Claims Act

(EMERGENCY)

Reference to the Committee on Judiciary suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative FOLEY of Wells. Cosponsored by Senator COLLINS of York and Representatives: CARDONE of Bangor, CHACE of Durham, GERRISH of Lebanon, MAREAN of Hollis, MASTRACCIO of Sanford, PARRY of Arundel, SAMPSON of Alfred, TUELL of East Machias.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** this legislation needs to take effect before the expiration of the 90-day 4 period in order to facilitate the negotiation of insurance contracts on July 1, 2017 by 5 regional public transportation agencies; and
- 6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 7 the meaning of the Constitution of Maine and require the following legislation as 8 immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore,

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

- 11 Sec. 1. 14 MRSA §8102, sub-§3, as amended by PL 2011, c. 520, §1, is further 12 amended to read:
- 13 3. Political subdivision. "Political subdivision" means any city, town, plantation, 14 county, administrative entity or instrumentality created pursuant to Title 30-A, chapters 15 115 and 119, incorporated fire-fighting unit that is organized under Title 13-B and is 16 officially recognized by any authority created by statute, quasi-municipal corporation and 17 special purpose district, including, but not limited to, any water district, sanitary district, hospital district, school district of any type, an airport authority established pursuant to 18 19 Title 6, chapter 10, a tax-exempt, nonprofit regional public transportation agency selected 20 by the Department of Transportation pursuant to Title 23, section 4209, subsection 1, any volunteer fire association as defined in Title 30-A, section 3151, a transit district as 21 22 defined in Title 30-A, section 3501, subsection 1, a regional transportation corporation as 23 defined in Title 30-A, section 3501, subsection 2, a transit district or regional 24 transportation corporation formed under the laws of another state that would qualify as a 25 transit district or regional transportation corporation under Title 30-A, chapter 163 if formed under the laws of this State and any emergency medical service. 26
- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
- 29 SUMMARY
- This bill adds tax-exempt, nonprofit regional public transportation agencies to the
 Maine Tort Claims Act, which limits liability for governmental entities.