

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow a Council of Governments To Provide Municipal Services to Small Towns under the Maine Tort Claims Act

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

Sec. 1. 14 MRSA §8102, sub-§3, as amended by PL 2011, c. 520, §1, is further amended to read:

3. Political subdivision. "Political subdivision" means any city, town, plantation, county, administrative entity or instrumentality created pursuant to Title 30-A, chapters 115 and 119, incorporated fire-fighting unit that is organized under Title 13-B and is officially recognized by any authority created by statute, quasi-municipal corporation and 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 Title 6, chapter 10, any volunteer fire association as defined in Title 30-A, section 3151, a transit district as defined in Title 30-A, section 3501, subsection 1, a regional transportation corporation as defined in Title 30-A, section 3501, subsection 2, a transit district or regional transportation corporation formed under the laws of another state that would qualify as a 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. "Political subdivision" includes a council of governments established under Title 30-A, chapter 119, subchapter 1, article 2 that provides municipal services to a municipality pursuant to a contract between the council of governments and the municipality.

Sec. 2. 30-A MRSA §2313, sub-§1, ¶C, as amended by PL 2007, c. 215, §2, is further amended to read:

C. Make recommendations for review and action to its members and other public agencies that perform functions within the region; ~~and~~

Sec. 3. 30-A MRSA §2313, sub-§1, ¶D, as enacted by PL 2007, c. 215, §2, is amended to read:

D. Prepare and maintain a comprehensive regional plan; ~~and~~

Sec. 4. 30-A MRSA §2313, sub-§1, ¶E is enacted to read:

E. Provide municipal services to a municipality pursuant to a contract between the council of governments and the municipality.

SUMMARY

This bill expressly authorizes a council of governments to provide municipal services to a municipality pursuant to a contract between the council of governments and the municipality. The bill amends the Maine Tort Claims Act to include in the definition of "political subdivision" a council of

governments when it is providing municipal services pursuant to a contract between the council of governments and the municipality.