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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 213, L.D. 280, Bill, “An Act To Include Tax-exempt, Nonprofit Regional Transportation Providers under the Maine Tort Claims Act”

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

'Sec. 1. 23 MRSA §4209, sub-§1, as amended by PL 2015, c. 182, §2, is further amended to read:

1. Geographic regions. The department shall divide the State into a number of geographic regions for regional distribution of state-administered transportation funds. Upon designation of the geographic regions, a regional public transportation agency must be selected from each region to formulate a quinquennial locally coordinated plan for regional transit in accordance with federal requirements. The department shall select regional public transportation agencies in collaboration with transit stakeholders, including transportation providers, social service organizations, the United States Department of Transportation, Federal Transit Administration and the Public Transit Advisory Council under section 4209-A. The department shall establish a schedule for submittal of the quinquennial locally coordinated plans for regional transit to the department for review and approval in accordance with subsection 2.

A tax-exempt, nonprofit regional public transportation agency selected by the department under this subsection is deemed to be a "transit district" as defined in Title 30-A, section 3501, subsection 1 for the purposes of the Maine Tort Claims Act.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment replaces the bill. The Maine Tort Claims Act currently includes "transit districts," defined in Title 30-A, section 3501, subsection 1, within the definition of "political subdivision" and thus covered by the immunity and limited liability of the Act. This amendment amends the public transportation statutes to expressly treat the tax-

COMMITTEE AMENDMENT

1 exempt nonprofit agencies selected by the Department of Transportation as regional
2 public transportation agencies as transit districts, but for the purposes of the Maine Tort
3 Claims Act only.

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**