## §17436. Liability and immunity of trustees of the investment trust fund

**1. Limited liability of trustees of the investment trust fund.** A trustee of the investment trust fund is not:

A. Personally liable for any liability, loss or expense suffered by the investment trust fund, unless such a liability, loss or expense arises out of or results from the willful misconduct or intentional wrongdoing of that trustee of the investment trust fund; [PL 2007, c. 240, Pt. RRR, §2 (NEW).]

B. Responsible for the adequacy of the investment trust fund to meet and discharge any obligation; or [PL 2007, c. 240, Pt. RRR, §2 (NEW).]

C. Required to take action to enforce the payment of any contribution or appropriation to the investment trust fund. [PL 2007, c. 240, Pt. RRR, §2 (NEW).]

[PL 2007, c. 240, Pt. RRR, §2 (NEW).]

**2. Immunity of trustees of the investment trust fund.** The trustees of the investment trust fund are immune from suit on any and all tort claims seeking recovery of damages to the same extent as governmental entities under the Maine Tort Claims Act.

[PL 2007, c. 240, Pt. RRR, §2 (NEW).]

**3. Legal representation and defense of trustees of the investment trust fund.** The Attorney General is legal counsel to the trustees of the investment trust fund and shall represent and defend the trustees of the investment trust fund, as a group and individually, in connection with any claim, suit or action at law arising out of the performance or nonperformance of any actions related to the investment trust fund to the same extent as provided for governmental entities in the Maine Tort Claims Act.

[PL 2007, c. 240, Pt. RRR, §2 (NEW).]

**4. Performance of essential governmental functions.** The exercise of the powers conferred by this article is held to be the performance of essential governmental functions.

[PL 2007, c. 240, Pt. RRR, §2 (NEW).]

SECTION HISTORY

PL 2007, c. 240, Pt. RRR, §2 (NEW).

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