

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 452**

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H. P. 318

House of Representatives, January 31, 1967  
Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Dennett of Kittery.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### AN ACT Repealing the Law on Comparative Negligence in Civil Actions.

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

**R. S., T. 14, § 156, repealed.** Section 156 of Title 14 of the Revised Statutes, as enacted by chapter 424 of the public laws of 1965, is repealed as follows:

**§ 156. Comparative negligence**

~~Where any person suffers death or damage as a result partly of his own fault and partly of the fault of any other person or persons, a claim in respect of that death or damage shall not be defeated by reason of the fault of the person suffering the damage, but the damages recoverable in respect thereof shall be reduced to such extent as the jury thinks just and equitable having regard to the claimant's share in the responsibility for the damage.~~

~~Where damages are recoverable by any person by virtue of this section subject to such reduction as is mentioned, the jury shall find and record the total damages which would have been recoverable if the claimant had not been at fault and the extent to which those damages are to be reduced.~~

~~Fault means negligence, breach of statutory duty or other act or omission which gives rise to a liability in tort or would, apart from this section, give rise to the defense of contributory negligence.~~

~~If such claimant is found by the jury to be equally at fault, the claimant shall not recover.~~