

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 251

S. P. 89

In Senate, January 22, 1969

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Mills of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Comparative Negligence in Civil Actions.

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

Sec. 1. R. S., T. 14, § 156, amended. The 2nd paragraph of section 156 of Title 14 of the Revised Statutes, as enacted by chapter 424 of the public laws of 1965, is amended to read as follows:

Where damages are recoverable by any person by virtue of this section subject to such reduction as is mentioned, **the court shall instruct** the jury **that they shall find and record** the total damages in dollars and cents which would have been recoverable if the claimant had not been at fault ~~and, that the jury shall then reduce the total damages by dollars and cents to the extent to which those damages are to be reduced~~ deemed just and equitable, having regard to the claimant's share in the responsibility for the damage, and shall return the reduced amount as their verdict in the case. The jury shall not be required to render a special verdict as to the percentage of fault of any party.

Sec. 2. R. S., T. 14, § 156, amended. Section 156 of Title 14 of the Revised Statutes, as enacted by chapter 424 of the public laws of 1965, is amended by adding at the end the following new paragraph:

At the request of counsel, the trial judge shall read this section to the jury in its entirety.