

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 673**

S. P. 227

In Senate, February 10, 1971

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Tanous of Penobscot.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to 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, 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of section 156 of Title 14 of the Revised Statutes, as enacted by chapter 424 of the public laws of 1965, and as repealed and replaced by section 1 of chapter 399 of the public laws of 1969, is amended to read as follows: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 to find and record the total damages which would have been recoverable if the claimant had not been at fault, and further instruct the jury to reduce the total damages by dollars and cents, and not by percentage, to the extent deemed just and equitable, having regard to the claimant's share in the responsibility for the damages, and instruct the jury to return ~~both amounts with the knowledge that~~ by general verdict the lesser figure is the final verdict in the case as their final verdict.

STATEMENT OF FACT

The purpose of this bill is to clarify the judge's instructions in comparative negligence actions and to establish liability when the case involves multi-party defendants.