

# MAINE STATE LEGISLATURE

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L.D. 2108

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DATE: May 20, 1999

(Filing No. S-320 )

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

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SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to S.P. 749, L.D. 2108, Bill, "An Act to Clarify the Equine Activity Law"

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Amend the amendment by striking out all of the 2nd paragraph after the title (page 1, lines 27 to 31 in amendment) and inserting in its place the following:

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'Further amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 1 by striking out all of the 3rd sentence (page 4, lines 32 to 35 in L.D.)'

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Further amend the amendment on page 2 by inserting after subsection 3 the following:

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'4. Knowing assumption of risk. A defense or immunity described in subsection 1 may be asserted in a personal injury action only by a person who proves that the person injured in the course of equine activity knew and assumed the risks that gave rise to the injury.'

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**SUMMARY**

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This amendment removes that provision of the bill that states that each participant and spectator in an equine activity expressly assumes the risk and responsibility for participation in that activity. Instead, this amendment allows a defense to be asserted only if it is proven that the injured participant or spectator knew of the risks and assumed those risks.

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SPONSORED BY: 

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(Senator MILLS)

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COUNTY: Somerset

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**SENATE AMENDMENT**