

MAINE STATE LEGISLATURE

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L.D. 2108

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DATE: May 18, 1999

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AGRICULTURE, CONSERVATION AND FORESTRY

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

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

Amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 1 in the 3rd line (page 4, line 26 in L.D.) by inserting after the following: "person" the following: 'engaged in an equine activity'

Further amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 1 in the 12th line (page 4, line 35 in L.D.) by striking out the following: "participation in an equine activity" and inserting in its place the following: 'the inherent risk of equine activities'

Further amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 1 in the last line (page 4, line 44 in L.D.) by inserting after the following: "or" the following: 'damage to'

Further amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 2 in the first line (page 4, line 46 in L.D.) by inserting after the following: "Exceptions" the following: '; participants'

Further amend the bill in section 5 in that part designated "~~S4103-A.~~" in subsection 2 in paragraph B in the 4th line (page 5, line 9 in L.D.) by inserting after the following: "known" the following: 'or should have been known'

Further amend the bill by inserting at the end of section 5 the following:

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S.P. 749, L.D. 2108

2 '3. Exceptions; persons who are not participants. Nothing
3 in subsection 1 prevents or limits the liability of an equine
4 activity sponsor, an equine professional or any other person
5 engaged in an equine activity, if that equine activity:

6
7 A. Causes injury or death to a person who is not a
8 participant and who is in a place where a reasonable person
9 would not expect an equine activity to occur; or

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11 B. Causes injury or death to a spectator and that spectator
12 was in a place designated or intended by an activity sponsor
13 as a place for spectators.'

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SUMMARY

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This amendment creates an exception from the liability protection when an equine activity occurs in a place designated for spectators or in a place where an equine activity would not be expected to occur.

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