

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1965

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
1965

§ 5342. Liberal construction

This chapter, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect the purposes thereof.

§ 5343. Severability

The provisions of this chapter are severable and if any provisions thereof shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions or sections.

§ 5344. Title

This chapter may be cited as the "Municipal Industrial and Recreational Obligations Act."

Sec. 2. Appropriation. There is appropriated from the General Fund to the Industrial and Recreational Finance Approval Board to carry out the purposes of this Act the sum of \$13,000 for the fiscal year ending June 30, 1966 and the sum of \$15,500 for the fiscal year ending June 30, 1967. The breakdown shall be as follows:

INDUSTRIAL AND RECREATIONAL FINANCE APPROVAL BOARD

	1965-66	1966-67
Personal Services	(2) \$10,000	(2) \$12,500
All Other	2,000	2,500
Capital Expenditures	1,000	500
	<u>\$13,000</u>	<u>\$15,500</u>

Effective September 3, 1965

Chapter 424

AN ACT Relating to Comparative Negligence in Civil Actions.

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

R. S., T. 14, § 156, additional. Title 14 of the Revised Statutes is amended by adding a new section 156 to read 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.'

Effective September 3, 1965

Chapter 425

AN ACT to Correct Errors and Inconsistencies in the Public Laws.

Emergency preamble. Whereas, Acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable on or immediately after July 1, 1965; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., T. 1, c. 11, sub-c. III, additional. Chapter 11 of Title 1 of the Revised Statutes is amended by adding a new subchapter III, to read as follows:

'SUBCHAPTER III

REVISED STATUTES

§ 361. Positive law

The Legislature declares that the Maine Revised Statutes and the Maine Revised Statutes Annotated are identical as to the text of the law. Since the text of the revision has been enacted by the Legislature, it is positive law.

§ 362. Supplements as part of Revised Statutes

The laws contained in any current pocket parts or supplements to the Revised Statutes, printed and published hereafter under contract or otherwise as may be