

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the injuries which may give rise to employer liability if this legislation were not enacted most frequently occur in the summer months; and

Whereas, the present law contains ambiguities which could encourage litigation and disharmony in labor-management relations; 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:

39 MRSA § 2, sub-§ 5, ¶ C is enacted to read:

C. The term "employee" does not include any person who is otherwise an employee, if he is injured as a result of his voluntary participation in an employer-sponsored athletic event or an employer-sponsored athletic team.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 30, 1981

CHAPTER 213

H. P. 740 — L. D. 878

AN ACT Concerning the Limitation on Damages for Loss of Comfort, Society and Companionship in Wrongful Death Actions.

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

18-A MRSA § 2-804, sub-§ (b), 2nd sentence, as enacted by PL 1979, c. 540, § 1, is amended to read:

The jury may give such damages as it shall deem a fair and just compensation with reference to the pecuniary injuries resulting from such death to the persons for whose benefit the action is brought, and in addition thereto shall give such damages as will compensate the estate of the deceased person for reasonable

expenses of medical, surgical and hospital care and treatment and for reasonable funeral expenses, and in addition thereto may give damages not exceeding \$10,000 \$50,000 for the loss of comfort, society and companionship of the deceased to the persons for whose benefit the action is brought, provided that the action shall be commenced within 2 years after the decedent's death.

Effective September 18, 1981

CHAPTER 214

H. P. 1327 — L. D. 1521

AN ACT to Amend the Tax Law Providing a One-time Property Tax Exemption for Disabled Veterans, World War I Veterans and Persons Claiming from World War I Veterans.

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

Whereas, the 90-day period will not terminate before real property taxes are assessed on April 1, 1981; and

Whereas, the Supreme Judicial Court in December, 1980, declared unconstitutional certain sections of the law providing for veterans' property tax exemptions; and

Whereas, certain veterans residing in Maine will no longer be eligible for an exemption, unless the law is amended to be effective for April 1st; and

Whereas, many of those veterans and their families are in serious need of property tax relief; and

Whereas, the law enacted this session needs correction in order to accomplish the intent of the Legislature; 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. 36 MRSA § 653, sub-§ 1, ¶ F, sub-¶ (4), first sentence, as enacted by PL 1981, c. 133, § 4, is amended to read: