

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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§1403. Exceptions

The immunities provided in section 1402 do not apply to any person:

1. Persons causing the discharge. Whose act or omission caused in whole or in part the actual or threatened discharge and who would otherwise be liable therefore; or

2. Persons compensated for assistance. Who receives compensation other than reimbursement for out-of-pocket expenses for its services in rendering the assistance or advice.

§1404. Liability for gross negligence or reckless, wanton or intentional misconduct

Nothing in section 1402 limits or otherwise affects the liability of any person for damages resulting from that person's gross negligence, or from that person's reckless, wanton or intentional misconduct.

Effective September 23, 1983.

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## CHAPTER 112

S.P. 149 - L.D. 440

AN ACT to Enable Administrative Court  
Judges to Sit in Superior Court.

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

4 MRSA §157-C, as enacted by PL 1979, c. 12, §2, is amended to read:

§157-C. Judge or Active Retired Judge of the District Court or Administrative Court to sit in Superior Court

A Judge or an Active Retired Judge of the District Court or Administrative Court may be assigned by the Chief Justice of the Supreme Judicial Court to sit in the Superior Court in any county, and when so directed he shall have authority and jurisdiction therein as if he were a regular Justice of the Superior Court; and whenever the Chief Justice of the Supreme Judicial Court so directs, he may hear all matters and issue all orders, notices, decrees and

judgments that any Justice of the Superior Court is authorized to hear and issue.

No Judge or Active Retired Judge of the District Court or Administrative Court so sitting in the Superior Court shall act in any case in which he has sat in the District Court or Administrative Court nor in which he otherwise has an interest.

The order of the Chief Justice of the Supreme Judicial Court directing a Judge or an Active Retired Judge of the District Court or Administrative Court to sit in the Superior Court shall be filed with the Executive Clerk of the Supreme Judicial Court, but need not be docketed or otherwise recorded in any case heard by him.

Effective September 23, 1983.

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## CHAPTER 113

S.P. 164 - L.D. 519

### AN ACT to Clarify the Definition of Chiropractic.

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

Sec. 1. 32 MRSA §451 is repealed and the following enacted in its place:

#### §451. Definitions

1. Chiropractic. "Chiropractic" means the art and science of identification and correction of subluxation and the accompanying physiological or mechanical abnormalities. The term subluxation, as utilized within the chiropractic health care system, means a structural or functional impairment of an intact articular unit. Chiropractic recognizes the inherent recuperative capability of the human body as it relates to the spinal column, musculo-skeletal and nervous system.

2. Chiropractic doctors. "Chiropractic doctors" are health care providers functioning within their scope of practice as provided by this chapter.

3. Chiropractic methodologies. "Chiropractic methodologies" utilized for the identification or correction of subluxation and the accompanying physiological or mechanical abnormalities include