

# 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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tive units by having invested the school construction project funds so that the excess funds for income earned may be available to fund additional school construction projects.

Effective September 23, 1983.

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## CHAPTER 427

H.P. 1257 - L.D. 1670

AN ACT to Require the Payment of  
Prejudgment Interest at Prevailing Market  
Rates on all Judgments, Dating  
from the Time of Written Notice  
to the Defendant of the Cause  
of Action.

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

Sec. 1. 14 MRSA §1602, as amended by PL 1981, c. 162, §§1 and 2, is repealed and the following enacted in its place:

§1602. Interest before judgments

1. Prejudgment interest; rate; avoidance. In all civil actions, except those actions involving a contract or note which contains a provision relating to interest, prejudgment interest shall be assessed at the rate of 8% per year.

Prejudgment interest shall accrue from the time of notice of claim setting forth under oath the cause of action, served personally or by registered or certified mail upon the defendant until the date on which an order of judgment is entered. If the prevailing party at any time requests and obtains a continuance for a period in excess of 30 days, interest shall be suspended for the duration of the continuance. On petition of the nonprevailing party and on a showing of good cause, the trial court may order that interest awarded by this section shall be fully or partially waived.

2. Effect on post-judgment interest. This section shall not affect post-judgment interest imposed by section 1602-A. Prejudgment interest shall not be added to the judgment amount in deter-

mining the sum upon which post-judgment interest shall accrue.

3. Limitation. Subsection 1 shall not apply to judgments of less than \$5,000. For those judgments, interest shall accrue only from the date on which the complaint is filed and at a fixed rate of 8% per year.

Sec. 2. 14 MRSA §1602-A is enacted to read:

§1602-A. Interest after judgment

From and after the date of entry on an order of judgment, including the period of the pendency of an appeal, interest shall be allowed at the rate of 15% per year. If the prevailing party at any time requests and obtains a continuance for a period in excess of 30 days, interest shall be suspended for the duration of the continuance. On petition of the nonprevailing party and on a showing of good cause, the trial court may order that interest awarded by this section shall be fully or partially waived.

Sec. 3. Applicability. The interest rate and the date of accrual in this Act shall only apply to actions and awards for which the incident giving rise to the cause of action occurs on or after the effective date of this Act. The version of section 1602 repealed by this Act shall apply to all complaints filed which relate to actions for which the incident giving rise to the cause of action occurred before the effective date of this Act.

Effective September 23, 1983.

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## CHAPTER 428

H.P. 1262 - L.D. 1672

AN ACT to Change the Workers'  
Compensation Law with Respect to  
Asbestosis.

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

Sec. 1. 39 MRSA §194-A, as enacted by PL 1967, c. 374, §8, is repealed.

Sec. 2. 39 MRSA §194-B is enacted to read: