

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-233)

COMMITTEE AMENDMENT "A" to H.P. 572, L.D. 696, Bill, "AN ACT
Concerning Damages in Wrongful Death Actions."

Amend the Bill by striking out all of the first sentence of
that part designated "§2552." and inserting in its place the
following:

'Every such action shall be brought by and in the names of the
personal representatives of the deceased person, and the amount
recovered in every such action, except as otherwise provided,
shall be for the exclusive benefit of the widow or widower, if
no children, and of the children, if no widow or widower, and
if both, then 1/2 for the exclusive benefit of the widow or widower
and 1/2 for the exclusive benefit of the children, to be divided
among the children in equal shares, and, if neither, of his heirs.'

Statement of Fact

The present law is unclear as to how damages in wrongful
death cases are to be divided in cases when there are a widow
or widower and children. The amendment would specify that 1/2 would
go to the surviving spouse and 1/2 to the children, to be divided
among the children in equal shares.

Reported by the Committee on Judiciary.

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