

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 696

H. P. 572

House of Representatives, March 2, 1977

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Byers of Newcastle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning Damages in Wrongful Death Actions.

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

18 MRSA § 2552, as last amended by PL 1969, c. 266, is repealed and the following enacted in its place:

§ 2552. Title of action; amount recovered; disposal

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 for the exclusive benefit of the widow or widower and the children equally, and, if neither, of his or her heirs. The jury may give such damages as they shall deem a fair and just compensation with reference to the pecuniary injuries resulting from such death to the persons for whose benefit such action is brought, and in addition thereto, shall give such damages as will compensate the estate of such 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 for the loss of comfort, society and companionship of the deceased to the persons for whose benefit such action is brought, provided such action shall be commenced within 2 years after the death of such person.

STATEMENT OF FACT

The purpose of this bill is to allow an award in an amount up to \$10,000 to a widow, widower or children, as well as parents of deceased children, for the loss of comfort, society and companionship resulting from wrongful death.