

MAINE STATE LEGISLATURE

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L.D. 2080

(Filing No. S-452)

STATE OF MAINE
SENATE
112TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A"
to H.P. 1478, L.D. 2080, Bill, "AN ACT to Create the
Maine Liquor Liability Act."

Amend the amendment by striking out all of that
part designated "§1409." and inserting in its place
the following:

'§1409. Limit on awards

1. Limitation on damages for noneconomic losses.
In actions for damages permitted by this Act, the
claim for an award of damages for all losses, except
economic losses, against both a defendant and defend-
ant's employees and agents may not exceed \$250,000
for any claim. Economic losses include past and fu-
ture costs for medical care, medical treatment and
rehabilitation, including devices and aids; past and
future loss of earnings; and damage to property.

2. Excessive award abated. Any award by the
court or jury in excess of the maximum liability lim-
it specified by subsection 1 shall be automatically
abated by operation of this section to the maximum
limit of liability.'

D O F R

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A" to H.P. 1478,
L.D. 2080

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STATEMENT OF FACT

2 This amendment changes the damage limits to allow
3 an injured plaintiff to collect, in addition to the
4 expenses for medical costs and treatment, all of his
5 lost wages. Those wages which the plaintiff can
6 prove he has already lost and the future wages which
7 will not be earned based on the injuries incurred,
8 without limitation. It clarifies that the expenses
9 of rehabilitation are fully compensable, as well as
10 the cost of devices or aids, such as wheelchairs and
11 artificial limbs. It also allows recovery of the
12 full value of property which is damaged. This amend-
13 ment retains a \$250,000 cap for noneconomic damages,
14 such as for pain and suffering, but changes it to a
15 per person instead of per occurrence limit.

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(Sen. Usher)

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COUNTY: Cumberland

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