

MAINE STATE LEGISLATURE

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L.D. 687

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MAJORITY
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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 480, L.D. 687, Bill, "An Act Regarding Wrongful Death Actions"

Amend the bill by inserting after section 1 the following:

'Sec. 2. Application. This Act applies to causes of action arising on or after the effective date of this Act.'

Further amend the bill by inserting at the end before the summary the following:

'FISCAL NOTE

The removal of the cap of \$150,000 on the amount of certain damage awards will increase the cost of the State's liability insurance. The estimated increase in the annual assessment will be \$125,000 beginning in fiscal year 2001-02. The increase of these insurance rates for the State will affect primarily the Department of Public Safety, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Corrections. The General Fund share of these costs will be \$69,203. The Highway Fund share will be \$47,105. The actual costs of this bill after fiscal year 2001-02 will depend on the number of wrongful death actions brought against the State, the actual amounts of any awards or settlements and the balances available in the State's self-insurance funds.

Additional General Fund appropriations in fiscal year 2001-02 of \$27,953, \$16,250 and \$25,000 will be required by the Department of Public Safety, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the

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Department of Corrections, respectively. The Department of Public Safety will also require additional Highway Fund allocations totaling \$47,105 in fiscal year 2001-02. The Department of Public Safety and the Department of Mental Health, Mental Retardation and Substance Abuse Services will also incur costs in other funds in fiscal year 2001-02 totaling \$18,692 and \$8,750, respectively.'

SUMMARY

This amendment adds an application section to the bill, providing that the repeal of the cap on certain damages in a wrongful death action applies to causes of action arising on or after the effective date of the Act. It also adds a fiscal note to the bill.