

MAINE STATE LEGISLATURE

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L.D. 687

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DATE: 3-20-00

(Filing No. H-896)

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

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

Amend the bill in section 1 in subsection (b) in the 12th and 13th lines from the end (page 1, lines 23 and 24 in L.D.) by striking out the following: "~~not-exceeding-\$150,000 in an amount it determines fair and just~~" and inserting in its place the following: 'not exceeding \$150,000 \$300,000'

FISCAL NOTE

This amendment will lower the estimated cost of the bill. The increase in the annual assessment for the State's liability insurance will be \$75,000 instead of \$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 \$32,241. The Highway Fund share will be \$28,263. 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 \$16,772, \$6,094 and \$9,375 will be required by the Department of Public Safety, the Department of Mental Health,

HOUSE AMENDMENT

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2 Mental Retardation and Substance Abuse Services and the
Department of Corrections, respectively. The Department of
4 Public Safety will also require additional Highway Fund
allocations totaling \$28,263 in fiscal year 2001-02. The
6 Department of Public Safety and the Department of Mental Health,
Mental Retardation and Substance Abuse Services will also incur
8 costs in other funds in fiscal year 2001-02 totaling \$11,215 and
\$3,281, respectively.

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SUMMARY

14 This amendment places a cap on certain damages in wrongful
death actions at \$300,000, replacing the provision in the bill
16 that removes the current cap of \$150,000 in favor of a "fair and
just" amount.

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