

MAINE STATE LEGISLATURE

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DATE: 4/7/2000

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STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "B" to S.P. 605, L.D. 1728, "Resolve, Authorizing Certain Members of the Sullivan Family to Bring Suit Against the State"

Amend the amendment by striking out the substitute title and replacing it with the following:

'Resolve, Limiting Damages in Any Suit Brought by Members of the Sullivan Family Against Waldo County and the State'

Further amend the amendment by striking out everything after the title and before the summary and inserting in its place the following:

'Amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Limit on damages. Resolved: That, notwithstanding the Maine Revised Statutes, Title 14, section 8105, subsection 1, the limit on damages, including costs and interest, is \$1,000,000 in any suit brought by John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claim to have suffered damages as a result of an automobile accident that occurred July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department. Waldo County may not be ordered to pay more than \$300,000. The State may not be ordered to pay more than \$700,000. If Waldo County is liable for an amount greater than \$300,000, the State shall pay the amount that exceeds \$300,000, except that the amount paid by the State, when added to the amount, if any, the State is ordered to pay on the basis of its own liability, may not exceed \$700,000.'

A. & S.

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "B" to S.P. 605,
L.D. 1728

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FISCAL NOTE

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This amendment places a \$1,000,000 limit on damages, including costs and interests, arising from a specific suit. The individual upper limit for Waldo County is \$300,000 and the upper limit for the State is \$700,000, including any amounts Waldo County is liable for over their \$300,000 cap. If the plaintiff is successful against the State, a General Fund appropriation no greater than \$700,000 will be necessary. The amount and timing of the appropriation can not be determined at this time. If the plaintiff is successful against the county, Waldo County will be required to pay the amount up to \$300,000.

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SUMMARY

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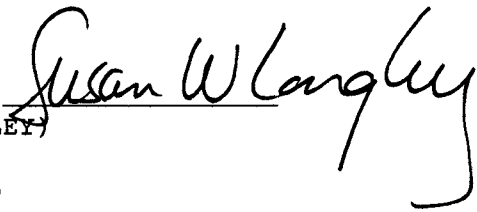
This amendment provides that notwithstanding the Maine Revised Statutes, Title 14, section 8105, subsection 1, the limit on damages, including costs and interest, is \$1,000,000 in any suit brought by John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claim to have suffered damages as a result of an automobile accident that occurred July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department. Waldo County may not be ordered to pay more than \$300,000. The State may not be ordered to pay more than \$700,000. If Waldo County is liable for an amount greater than \$300,000, the State shall pay the amount that exceeds \$300,000, except that the amount paid by the State, when added to the amount, if any, the State is ordered to pay on the basis of its own liability, may not exceed \$700,000.

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SPONSORED BY:

(Senator LONGLEY)



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COUNTY: Waldo

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