

Bill No. SB 30

Amendment No. 2 Barcode 920476

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Education recommended the following amendment
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Senate Amendment (with title amendment)

On page 2, line 21, through
page 3, line 3, delete those lines

and insert:

Section 2. (1) The District School Board of Monroe
County is authorized and directed to compensate Joshua
England, a minor, for injuries and damages he sustained as the
result of the negligence of employees of the school district,
in the amount of \$2.5 million. This amount shall be paid as
follows:

(a) The sum of \$1.5 million, less sums due for
attorney's fees and costs, and any outstanding medical liens,
shall be placed in a Special Needs Trust for the benefit of
Joshua England on July 1, 2001; and

(b) The sum of \$200,000 shall be placed in the Special
Needs Trust for the benefit of Joshua England on July 1, 2002,
and on each July 1 occurring for 4 years thereafter, until an

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1 additional cumulative sum of \$1 million is paid to the Special
2 Needs Trust.

3 (2) If Joshua England dies prior to payment of any
4 sums required in paragraph (1)(b), any unpaid sums due at the
5 time of his death are forfeited on a pro-rated basis for the
6 year of death, and thereafter, the District School Board of
7 Monroe County is not obligated to make any additional
8 payments.

9 (3) Any funds remaining in the Special Needs Trust at
10 the time of Joshua England's death, after the payment of any
11 outstanding Medicaid liens, shall revert to the District
12 School Board of Monroe County.

13 (4) At least one trustee of the Special Needs Trust
14 established for the benefit of Joshua England must possess
15 financial and trust management experience, and may not be a
16 relative of Joshua England. The term "relative" as used in
17 this subsection means a parent, grandparent, sibling, cousin,
18 aunt, uncle, niece or nephew, whether related by whole or half
19 blood, by affinity, or by adoption.

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22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 1, lines 4-11, delete those lines

25
26

and insert:

27 England, a minor, authorizing and directing the
28 District School Board of Monroe County to
29 compensate Joshua England for personal injuries
30 that he suffered due to the negligence of
31 school board employees; providing for the use

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1 of such funds; providing for forfeiture and
2 reversion of the funds; providing for trustee
3 qualifications; providing an effective date.
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