

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Committee on Claims offered the following:

Amendment (with title amendment)

On page 2, line 25 through page 3, line 8,
remove from the bill: all of said lines

and insert in lieu thereof:

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 additional cumulative sum of \$1 million is paid to the Special

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1 Needs Trust.

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

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

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

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

22 And the title is amended as follows:

23 On page 1, lines 4-13,
24 remove from the title of the bill: all of said lines

25
26 and insert in lieu thereof:

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; specifying use of

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funds; providing for forfeiture and reversion
of the funds; providing for trustee
qualifications; providing an effective date.