

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

May 22, 1997

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 175.

This bill provides that a secondary claimant may be entitled to noneconomic damages in a wrongful death action for the death of a child or a parent. A secondary claimant is defined as the parent of a child who is not a minor, or a child who is not a primary claimant as described in the bill. Persons substantially dependent upon the deceased, and related to the deceased by blood or marriage, may also be entitled to noneconomic damages in a wrongful death action under specified circumstances. The bill also removes the conditions under which a secondary claimant may receive noneconomic damages.

House Bill 770, which was passed by the General Assembly and signed by me on May 8, 1997, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 175.

Sincerely,
Parris N. Glendening
Governor

Senate Bill No. 175

AN ACT concerning

Wrongful Death - Noneconomic Damages - Secondary Beneficiaries Damages

FOR the purpose of establishing that a beneficiary may be entitled to noneconomic damages in a wrongful death action for the death of a child or ~~a parent~~ certain parents of a child who is not a minor child; ~~revoking certain conditions required to entitle certain beneficiaries to noneconomic damages in a wrongful death action; altering the method by which a court is required to allocate noneconomic damages in a wrongful death action in which there are two or more claimants or beneficiaries if the jury awards an amount that exceeds the statutory limit; altering the extent to which a certain person must have been dependent upon the deceased in order to be entitled to damages in a wrongful death action; establishing that scientific evidence~~ certain circumstances that may be used to show that an unmarried parent of a deceased child is the father of the child for purposes of recovering damages in a wrongful death action; specifying a certain time period for determining certain support; providing a tolling provision for certain persons in a wrongful death action under certain circumstances; making certain stylistic and technical changes; defining