



Third Northern Mariana Islands Constitutional Convention⁻²⁷⁹⁵⁻

Delegate Amendment No. 010

Date: July 21, 1995

ARTICLE AND SECTION TO BE AMENDED: Article X, new section

COMMITTEE ASSIGNED: Committee on Legislative Branch and Public Finance

It is proposed that the article passed on first reading be amended as follows:

Article X

Section 10: Limitation on actions

a) Damages may not be recovered against the Commonwealth for more than \$100,000 except for actual damages incurred.

b) Damages may not be recovered against a private party for more than \$100,000 except for actual damages incurred.

Submitted by:



Delegate VICENTE S. ALDAN

Notes: The legislative history would explain that if a plaintiff's actual lost earnings, medical bills, or other actual damages exceeded \$100,000, those damages could be recovered in full. This limitation is on punitive damages, pain and suffering damages, loss of consortium damages, and other similar damages that are not out-of-pocket costs or losses. Two separate sections have been provided, for actions against the government and private parties, in order that the legislative history be clear and in order that if one of the limitations falls in the courts, the other may survive. This has been placed in Article X with the provision on taxpayer actions.