

(Prepare in triplicate)

FISCAL NOTE

Prepared in regard to:

House Bill No. 1135

(List bill or resolution and number, if available, or subject)

Amendment to:

(List bill or resolution and number)

Requested by: Legislative Council

Date of receipt: 28 December 19 78

In the following space note the fiscal effect in dollars of the legislative proposal. If additional space is needed, attach a supplementary sheet. (Please type)

Because of the nature of the Bill in question, it is literally impossible to make any kind of an accurate evaluation of the potential fiscal impact arising from the passage of this measure.

As noted in the Bill, it is designed to provide protection to a Guardsman against a suit which could be filed as a result of he being involved in an accident causing injury and/or property damage while he is performing required duties while in a State Active Duty status. The measure would also provide an opportunity for financial relief to the injured party or damaged property when it can be conclusively proven that the Guardsman was responsible.

The key to why there can be no estimate on the fiscal impact of this measure is the fact that State Active Duty occurs usually when the Governor orders Guardsman to that duty to reduce the effects of a disaster within the State. Obviously it is impossible to predict how, when, where and how many of these occasions will present themselves within a given period of time. Further, there is every possibility that no incidents will occur which will require payment of a claim. On the other hand, there could be several.

As a result, it is felt that any estimate of the fiscal impact caused by passage of this measure would be mere conjecture without any basis in fact.

Signed

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