

§3360-F. Determination of award

1. Hearings. The board may hold a hearing on any claim and the board shall hold a hearing if requested by the claimant. The claimant may address the board at a hearing on the claim and the board may take testimony under oath.

[PL 1991, c. 806, §3 (NEW).]

2. Information. In addition to the material and information required by law and by the board, the claimant may provide the board with any other information pertinent to the nature or the amount of the claim. The board shall receive and consider information provided by law enforcement agencies and prosecution authorities and, at its sole discretion, may receive and consider relevant information from any other source.

[PL 1997, c. 378, §10 (AMD).]

3. Determination of award. The board shall determine by a preponderance of the evidence whether a specified crime occurred, whether the personal injury or death was the result of that criminal conduct, the amount of eligible expenses and losses suffered by the claimant, whether to award compensation and the amount of the compensation. In determining the amount of compensation to be paid, the board shall consider the amount available to pay victim compensation claims, the history of claims paid by the board, the number and amount of currently pending claims and the nature and cost of expenses submitted by the claimant.

[PL 1999, c. 360, §8 (AMD); PL 1999, c. 360, §9 (AFF).]

4. Unanimous decision. The board shall determine action on a claim with a quorum participating on that claim, but any award of compensation requires the unanimous concurrence of all members present.

[PL 1991, c. 806, §3 (NEW).]

5. Final decision. The board's final decision must contain reasons for the determination.

[PL 1991, c. 806, §3 (NEW).]

SECTION HISTORY

PL 1991, c. 806, §3 (NEW). PL 1997, c. 378, §10 (AMD). PL 1999, c. 360, §8 (AMD). PL 1999, c. 360, §9 (AFF).

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