

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

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Legislative Document

No. 916

H. P. 660

House of Representatives, January 31, 1963

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Wellman of Bangor.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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**AN ACT Authorizing Civil Actions Against the State.**

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Be it enacted by the People of the State of Maine, as follows:

**R. S., c. 106, § 25, additional.** Chapter 106 of the Revised Statutes is amended by adding a new section 25, as follows:

**'Jurisdiction of Civil Actions Against State.**

**Sec. 25. Civil liability of State.** The State of Maine shall be civilly liable in any action where the State, if a private person, would be civilly liable. Civil actions against the State may be brought within the times provided for commencement of civil actions, in the Superior Court in Kennebec County or in the county where the plaintiff resides, provided that the subject matter or the liability of the State in any action shall not exceed the sum of \$1,000. Service of process shall be made on the Attorney General who shall appear and defend such actions as provided in chapter 20. The conduct of the action shall be according to the rules and practices of civil actions. Any judgment recovered against the State on final process issued by the Superior Court, or, if appealed, the Supreme Judicial Court shall be paid by the Treasurer of State from any appropriations made for the purpose by the Legislature. Nothing in this section shall be construed as a waiver of the immunity of the State to trustee process.'