

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1108

H. P. 817

House of Representatives, February 10, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mr. Brennan of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Civil Actions Against Heads of State Institutions.

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

Sec. 1. R. S., T. 5, § 191, amended. The first sentence of section 191 of Title 5 of the Revised Statutes is amended to read as follows:

'The Attorney General shall appear for the State, the Secretary of State, the Treasurer of State, the Bank Commissioner, the Insurance Commissioner, the head of any other state department, **the head of any state institution** and the state boards and commissions in all civil actions and proceedings in which the State is a party or interested, or in which the official acts and doings of said officers are called in question, in all the courts of the State; and in such actions and proceedings before any other tribunal when requested by the Governor or by the Legislature or either branch thereof.'

Sec. 2. R. S., T. 34, § 1, amended. Section 1 of Title 34 of the Revised Statutes is amended by adding at the end, a new paragraph, to read as follows:

'**The head of any institution under the control of the department shall not be liable to any civil action for any act done or omitted to be done by any other officer or subordinate, but he shall be responsible for his own misconduct.**'