

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 282**

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H. P. 193

House of Representatives, January 24, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lebel of Van Buren.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**RESOLVE, Authorizing Marcella Levasseur to Bring Action Against the State of Maine.**

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**Marcella Levasseur, authorized to sue the State of Maine. Resolved:** That Marcella Levasseur of Van Buren in the County of Aroostook and State of Maine, who suffered on the 29th day of November, 1964 serious personal injuries while driving an automobile, together with her 2 sons, John, age 13 and Phillip, age 9, both of whom were also injured, on a Maine highway, to wit: on Main Street in said Van Buren approaching the Violette Brook Bridge in the County of Aroostook and State of Maine, due, as she claims, to negligence of the State Highway Commission in not sanding the hill and in not providing adequate guardrails, be and is authorized to bring an action in the Superior Court for the County of Aroostook within one year from the effective date of this resolve, against the State of Maine for damages, if any, for negligence, if any, of the State of Maine, and the complaint issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by attested copy by the sheriff or either of his deputies in any county of the State of Maine; and the conduct of said action shall be according to the practice of actions and proceedings between parties in said Superior Court and the liabilities of the parties and elements of damage, if any, shall be the same as the liabilities and elements of damage between individuals; and the Attorney General is authorized and designated to appear, answer and defend said action. Any judgment that may be recovered in such action shall be payable from the General Highway Fund of the State of Maine on final process issued by said Superior Court, or if appealed, the Supreme Judicial Court, and costs may be taxed for the said Marcella Levasseur if she recovers in said action. Any recovery in said action shall not be in excess of \$9,000 including costs. Hearing thereon shall be before 3 Justices of the Superior Court without a jury; and said justices to be assigned by the Chief Justice of the Supreme Judicial Court.