

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 319

S. P. 108

In Senate, January 23, 1969

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

JERROLD B. SPEERS, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**RESOLVE, Authorizing Germaine P. Guerette and Edmund Guerette to
Bring Action Against the State of Maine.**

Germaine P. Guerette and Edmund Guerette authorized to sue State of Maine; Resolved: That Germaine P. Guerette, of St. Agatha, in the County of Aroostook and State of Maine, who on February 23, 1967, sustained serious personal injuries as the result of a fall at the Motor Vehicle registration office in Caribou, County of Aroostook, Maine, due, as claimed to the negligence of Secretary of State of the State of Maine, and also Edmund Guerette, husband of said Germaine P. Guerette, for medical and other expenses incurred by him, are authorized to bring a civil 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 the 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 damages 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 Unappropriated Surplus of the General 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 Germaine P. Guerette and Edmund Guerette if they shall recover in said action. Hearing thereon shall be before a Justice of the Supreme Judicial Court or the Superior Court without a jury; and said justice to be assigned by the Chief Justice of the Supreme Judicial Court.