

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2456

H. P. 1921

House of Representatives, January 28, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Goodwin of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**RESOLVE, Authorizing Robert A. Dentico to Bring Action Against the
State of Maine.**

Robert A. Dentico, authorized to sue the State of Maine. Resolved: That Robert A. Dentico of Bath in the County of Sagadahoc and State of Maine, who suffered on the 27th day of May, 1973 serious personal injury while driving a motorcycle, on Maine Highway to wit: Route 127 in Woolwich in the County of Sagadahoc and State of Maine, due, as he claims to negligence of the State Highway Commission in permitting oil and tar from a truck, leased to and under the control of the State Highway Commission, to flow negligently onto the traveled way of Route 127, the incident occurring not in the course of normal maintenance operations, be and is authorized to bring an action in the Superior Court for the County of Sagadahoc 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 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 the said Superior Court, or if appealed, the Supreme Judicial Court, and costs may be taxed for the said Robert A. Dentico if he recovers 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.

STATEMENT OF FACT

The purpose of this resolve is reflected in the title.