

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(After deadline)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 611

H. P. 492

House of Representatives, February 23, 1977

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 25.

EDWIN H. PERT, Clerk

Presented by Mr. Burns of Anson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLVE, Authorizing Vandelia T. Rowe to bring Action against the State.

Vandelia T. Rowe; authorized to sue State of Maine. Resolved: That Vandelia T. Rowe of Oakland, in the County of Kennebec and State of Maine, who on or about October 31, 1975, sustained serious personal injuries as the result of a fall at the Motor Vehicle Registration Office in Augusta, in the County of Kennebec and State of Maine, due to the claimed negligence of the Secretary of State of the State of Maine, is hereby authorized to bring a civil action in the Superior Court for the State of Maine 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, provided said damages are not to exceed the amount of \$30,000; and the complaint issuing out of said Superior Court under the authority of this resolve shall be served upon the Secretary of State in accordance with the Maine Rules of Civil Procedure; and the conduct of said action shall be according to the practice of actions and proceedings between parties in the Superior Court and the liability of the parties and elements of damage, if any, shall be the same as liabilities and elements of damages between individuals; provided said liabilities and elements of damage shall not exceed \$30,000 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 by said Vandelia T. Rowe if she recovers in said action. Hearing thereon shall be held before a Justice of the Superior Court with or with-

out a jury; said justice to be assigned by the Chief Justice of the Supreme Judicial Court of the State of Maine.

STATEMENT OF FACT

The purpose of this resolve is to authorize Vandelia T. Rowe to bring action against the State.