

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1812

6
7 H. P. 1830 House of Representatives, January 13, 1982
8 Approved for introduction by the Legislative Council pursuant to
Joint Rule 26.

On Motion of Mr. Cox of Brewer, referred to the Committee on Legal
Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

9 Presented by Representative Crowley of Stockton Springs.

10 Cosponsor: Representative Carroll of Limerick.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 **RESOLVE, Authorizing David Condon**
18 **to Bring Suit Against the State.**

19
20 **David Condon formerly of Levant; authorized to sue the**
21 **State. Resolved:** That David Condon be authorized to bring
22 suit against the State for damages, if any, for personal
23 injury and property damage resulting from assistance given
24 by Mr. Condon to the Division of Special Investigations.

25 This action, if authorized, is to be brought in the
26 Superior Court for the County of Kennebec within one year
27 from the passage of this resolve, against the State for dam-
28 ages, if any, and the conduct of this action shall be ac-
29 cording to the practice of actions or proceedings between
30 parties in the Superior Court. The liabilities of the par-
31 ties and elements of damage, if any, shall be the same as
32 liabilities and elements of damage as between individuals.
33 The complaint issuing out of the Superior Court under the

1 authority of this resolve shall be served on the Secretary
2 of State by attested copy by the sheriff or his deputies in
3 any county of the State. The Attorney General is authorized
4 and designated to appear, answer and defend this action.

5 Any judgment that may be recovered in this civil action
6 shall be payable from the State Treasury on file process
7 issued by the Superior Court, or, if applicable, the Supreme
8 Judicial Court, and costs may be taxed for David Condon if
9 he recovers in the action, and his recovery shall not exceed
10 \$35,000, including costs. Hearing thereon shall be before a
11 justice, with or without jury, the justice to be the regu-
12 larly scheduled justice presiding in the Kennebec County
13 Superior Court when this matter is scheduled for trial.

14 STATEMENT OF FACT

15 This will authorize a civil suit for changes resulting
16 from assistance given to the Division of Special Investiga-
17 tions.

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