

MAINE STATE LEGISLATURE

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L.D. 1687
(Filing No. H-301)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

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HOUSE AMENDMENT "C" to H.P. 1235, L.D. 1687,
"Resolve, Authorizing Dorothy Gammon to Bring Civil
Action Against the State and Cumberland County."

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Amend the resolve in the first paragraph after
the title in the 6th line (page 1, line 10 in L.D.)
by inserting after the word and punctuation "County,"
the following: 'but be prohibited from bringing suit
against any employee of the State or of Cumberland
County as an individual,'

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Further amend the resolve in the 2nd paragraph
after the title in the 3rd line (page 2, line 3 in
L.D.) by striking out the words "and damages" and in-
serting in their place the following: 'of and damages
against the State and Cumberland County'

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Further amend the resolve by striking out all of
the last paragraph before the fiscal note.

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STATEMENT OF FACT

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This amendment makes 3 changes to clarify the
language of the resolve. First, a phrase is added to
clearly show that the authorization for Dorothy
Gammon to sue state or county employees as individu-
als is eliminated by the resolve. This does not elim-
inate any liability of the State or Cumberland County
which is based on employees acting within the scope
of their employment.

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Second, the suit concerning the liability and
damages attributable to the State and Cumberland
County will be governed by the same laws which apply
to litigation between individuals. The aggregate lim-

HOUSE AMENDMENT "C" to H.P. 1235, L.D. 1687

1 it on damages of \$50,000 applies to awards from any
2 sources, including the State, Cumberland County,
3 their employees and any applicable insurance poli-
4 cies.

5 Third, the last paragraph is deleted because, un-
6 der this resolve, Dorothy Gammon cannot sue employees
7 of the State or Cumberland County.

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Filed by Rep. Stevenson of Unity
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House
6/11/87 (Filing No. H-301)