

MAINE STATE LEGISLATURE

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(After Deadline)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2540

S.P. 957

In Senate, March 17, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Legal Affairs suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator WEBSTER of Franklin.
(By Request)

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

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**RESOLVE, to Allow Joel Batzell of West
Farmington to Bring Civil Action Against the
State of Maine.**

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Action against the State authorized. Resolved:
That Joel Batzell of West Farmington be authorized to
bring suit against the State.

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On August 20, 1981, Joel Batzell was injured in an
automobile accident while attempting to elude police

1 after an alleged high speed chase. At the time of the
2 accident, Batzell was a patient at the Augusta Mental
3 Health Institute, having been involuntarily committed
4 at the request of his parents a few days earlier. As
5 a result of the accident, Batzell experienced physical
6 and emotional pain and suffering and suffered a loss
7 of business due to adverse publicity. He currently
8 continues to experience physical and emotional pain as
9 a result of the incident. Batzell seeks damages as a
10 result of the alleged negligence of the hospital and
11 the police.

12 The action, if authorized, is to be brought in the
13 Superior Court for the County of Kennebec within one
14 year from the passage of this resolve, against the
15 State for damages, if any. The action and the conduct
16 of it shall be according to the practice of actions or
17 proceedings between parties in Superior Court. The
18 Attorney General is authorized and designated to
19 appear, answer and defend this action.

20 Any judgment that may be recorded in this civil
21 action shall be payable from the Treasurer of State.
22 Recovery by Joel Batzell in this civil action, if any,
23 shall not exceed the higher of \$3,000,000 or the
24 applicable insurance policy limits, if any.

25

STATEMENT OF FACT

26 The purpose of this resolve is to authorize Joel
27 Batzell of West Farmington to bring civil action
28 against the State.

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