

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1821

H.P. 1319

House of Representatives, December 7, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 7, 1989. Referred to the Committee on Legal Affairs and 1600 ordered printed pursuant to Joint Rule 14.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative CROWLEY of Stockton Springs.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**Resolve, Authorizing Robert L. Gray to Bring a Civil Action Against
the State of Maine.**



2 **Robert L. Gray; authorized to sue State. Resolved:** That,
notwithstanding any statute or common law to the contrary, Robert
4 L. Gray, who claims to have suffered damages as a result of
erroneous claims of child abuse by the Department of Human
6 Services, is authorized to bring suit against the State, but not
against individual past and present employees of the Department
of Human Services.

8
10 This action shall be brought within one year from the
passage of this resolve in the Waldo County Superior Court.
12 Liability and damages, including punitive damages, shall be
determined according to state law, as in litigation between
individuals.

14
16 Any judgment, costs and interest that may be recovered in
this civil action shall be payable from the State Treasury on
18 final process issued by the Superior Court or, if applicable, the
Supreme Judicial Court. Recovery shall not exceed \$300,000,
20 including costs. Hearing shall be before the Justice of the
Superior Court, with or without jury. The action shall be
governed by the Maine Rules of Civil Procedure.

22
24
26 **STATEMENT OF FACT**

28 This resolve allows Robert L. Gray to sue the State, but not
past or present employees of the Department of Human Services,
for up to \$300,000.