# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1991

### Legislative Document

No. 411

H.P. 290

House of Representatives, February 7, 1991

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

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.
Cosponsored by Representative JALBERT of Lisbon and Representative PLOURDE of Biddeford.

#### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

Resolve, Authorizing Arthur Slotsky to Bring a Civil Action against the State.



Authorization to sue the State. Resolved: That, notwithstanding
any statute or common law to the contrary, Arthur Slotsky of
Portland, or his legal representative, who claims to have
suffered damages as a result of his vehicle being allegedly
wrecked by a ward of the State is authorized to bring a civil
action against the State but not against individual past or
present employees of the State.

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This action may be brought in the Cumberland County Superior Court within one year from the date this resolve is approved. Liability and damages, including punitive damages, must be determined according to state law as in litigation between individuals. The action may be heard by a Justice of the Superior Court or by a jury. The Maine Rules of Civil Procedure govern the conduct of the action. The Attorney General shall appear, answer and defend the action.

The Treasurer of State shall pay any judgment, including costs and interest, on final process issued by the Superior Court or, if applicable, the Supreme Judicial Court.

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#### STATEMENT OF FACT

26 This resolve authorizes Arthur Slotsky to sue the State for damages resulting from damage to his vehicle that was allegedly wrecked by a ward of the State.