

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 413

H.P. 292

House of Representatives, February 7, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative TOWNSEND of Eastport.
Cosponsored by Senator VOSE of Washington.

STATE OF MAINE

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

**Resolve, Authorizing David Boone to Bring a Civil Action against the
State of Maine.**



2 **Authorization to sue the State. Resolved:** That, notwithstanding
any statute or common law to the contrary, David Boone of
4 Eastport, or his legal representative, who claims to have
suffered damages as a result of being dismissed from the Maine
6 Criminal Justice Academy, is authorized to bring a civil action
against the State, but not against individual past or present
employees of the State.

8
10 This action may be brought in the Washington County Superior
Court within one year from the date this resolve is approved.
12 Liability and damages, including punitive damages, must be
determined according to state law as in litigation between
14 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
16 appear, answer and defend the action.

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

22
STATEMENT OF FACT

24 This resolve authorizes David Boone to sue the State for
26 damages resulting from being dismissed from the Maine Criminal
Justice Academy.
28