

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 723

S.P. 273

In Senate, March 7, 1995

**Resolve, Authorizing Jacqueline M. Sorenson of Westbrook to Sue the State.**

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator ESTY of Cumberland. (BY REQUEST).

2           **Sec. 1. Authorization to sue the State. Resolved:** That,  
notwithstanding any law to the contrary, Jacqueline M. Sorenson,  
4 of Westbrook, or her legal representative, who claims to have  
suffered damages as a result of the State's failure to prosecute  
6 the person who allegedly destroyed her home by fire, 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 Cumberland 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 the 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. Recovery may not  
exceed \$300,000, including costs and interest.

22  
24   **STATEMENT OF FACT**

26           This resolve authorizes Jacqueline M. Sorenson, of  
Westbrook, to sue the State for damages resulting from the  
28 State's failure to prosecute the person who allegedly destroyed  
her home by fire.