

MAINE STATE LEGISLATURE

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L.D. 1103

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DATE: 6/2/95

(Filing No. H- 355)

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MINORITY
LEGAL AND VETERANS AFFAIRS

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12 the House.

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

16

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18 COMMITTEE AMENDMENT "A" to H.P. 786, L.D. 1103, "Resolve,
20 Authorizing Glen Greenhalgh to Sue the State of Maine and the
22 Department of Human Services"

22

24 Amend the resolve in section 1 in the first paragraph in the
26 last 2 lines (page 1, lines 9 and 10 in L.D.) by striking out the
28 following: "and against individual past and present employees of
the Department of Human Services who are covered by a liability"
and inserting in its place the following: 'but not against
individual past or present employees of the State'

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30 Further amend the resolve in section 1 in the 3rd paragraph
in the 4th to 7th lines (page 1, lines 21 to 24 in L.D.) by
striking out the following: "Recovery may not exceed \$750,000,
including costs against the State and may not exceed the amount
of liability insurance coverage of individual employees of the
Department of Human Services." and inserting in its place the
following: 'Recovery may not exceed \$75,000, including costs and
interest.'

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40 Further amend the resolve by inserting at the end before the
statement of fact the following:

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FISCAL NOTE

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44 This resolve allows the State to be sued up to a maximum
amount of \$75,000, including costs and interest. If the
46 plaintiff is successful, a General Fund appropriation for the
recovery will be necessary. The amount and timing of the

COMMITTEE AMENDMENT

R 0 8
COMMITTEE AMENDMENT "A" to H.P. 786, L.D. 1103

2 appropriation will depend on when the suit is filed and its
outcome.

4 The Department of the Attorney General and the Department of
Human Services can absorb the additional costs of defending this
6 claim within existing resources. The Judicial Department can
absorb the additional workload and administrative costs
8 associated with this individual case within its existing
resources. An additional filing fee will increase General Fund
10 revenue by a minor amount.'

12
14 **STATEMENT OF FACT**

16 This amendment removes the authorization to sue individual
past or present employees of the State and places a cap of
\$75,000 on the award of damages. The amendment also adds a
18 fiscal note to the bill.