

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1631

S.P. 564

In Senate, March 3, 1999

Resolve, Authorizing Richard Paradise to Sue the State.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MacKINNON of York.

2 **Sec. 1. Authorized to sue the State. Resolved:** That,
3 notwithstanding any statute or common law to the contrary,
4 Richard Paradise, who claims to have suffered damages as a result
5 of an automobile accident that occurred on December 22, 1979 in
6 Jackman due to the alleged negligence of the State to properly
7 mark a hill and to properly maintain Route 201, is authorized to
8 bring a civil action against the State.

9
10 This action may be brought in the Somerset County Superior
11 Court within one year from the date this resolve is approved.
12 Liability and damages, including punitive damages, must be
13 determined according to state law as in litigation between
14 individuals. This action may be heard by a Justice of the
15 Superior Court or by a jury. The Maine Rules of Civil Procedure
16 govern the conduct of the action. The Attorney General shall
17 appear, answer and defend the action.

18 The Treasurer of State shall pay any judgment, including
19 costs and interest, on final process issued by the Superior Court
20 or, if applicable, the Supreme Judicial Court. Recovery may not
21 exceed \$100,000 or the applicable insurance policy limits,
22 including costs and interest.

23

24 SUMMARY

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26 This bill authorizes Richard Paradise to bring a civil suit
27 action against the State for damages resulting from an automobile
28 accident that occurred on December 22, 1979 in Jackman.

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