



## **119th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-1999

Legislative Document

No. 1728

S.P. 605

In Senate, March 9, 1999

Resolve, Authorizing Certain Members of the Sullivan Family to Bring Suit Against the State.

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

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator LONGLEY of Waldo. Cosponsored by Representative: WESTON of Montville. Sec. 1. Authorized to sue State. Resolved: That, notwithstanding any statute or common law to the contrary, John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claim to have suffered damages as a result of an automobile accident that occurred on July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department, are authorized to bring a civil action against the State.

10 This action may be brought in the Waldo 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. This action may be heard by a Justice of the Superior Court or by a jury. The Maine Rules of Civil Procedure
16 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 20 cost and interest, on final process issued by the Superior Court or, if applicable, the Supreme Judicial Court. Recovery may not 22 exceed \$3,000,000 or the applicable insurance policy limits, including costs and interest. 24

SUMMARY

28 This resolve authorizes John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan to bring a civil suit against 30 the State for damages resulting from an automobile accident, which occurred on July 2, 1998 on Route 131 in Waldo.

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