MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 254

H.P. 219

House of Representatives, January 23, 2001

Millient M. Mac Failand

Resolve, Authorizing Charles O'Conner to Sue the State.

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

MILLICENT M. MacFARLAND, Clerk

Presented by Representative PINKHAM of Lamoine.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BUCK of Yarmouth, DUNCAN of Presque Isle, MORRISON of Baileyville,
PERKINS of Penobscot.

Sec. 1. Authorization to sue the State. Resolved: That, notwithstanding any law to the contrary, Charles O'Conner, who claims to have suffered damages as a result of the State's refusal to renew Mr. O'Conner's liquor license, is authorized to bring a civil action against the State.

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

The Director of the Bureau of Alcoholic Beverages and Lottery Operations shall renew the liquor license of Charles O'Conner if the Superior Court or, if applicable, the Supreme Judicial Court finds in favor of Mr. O'Conner.

SUMMARY

This resolve allows Charles O'Conner to sue the State for the purpose of recovering his liquor license.