

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1613

S.P. 567

In Senate, May 13, 2003

Resolve, Authorizing Germaine Bell To Sue the State

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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 GAGNON of Kennebec

2 **Sec. 1. Authorization to sue State. Resolved:** That,
notwithstanding any statute or common law to the contrary,
4 Germaine Bell, who claims to have suffered damages in connection
with services she received from the Department of Human Services,
is authorized to bring a civil action against the State.

6
8 This action may be brought in the Kennebec County Superior
Court within one year from the date this resolve is approved.
Liability and damages, including punitive damages, must be
10 determined according to state law as in litigation between
individuals. This action may be heard by a Justice of the
12 Superior Court or by a jury. The Maine Rules of Civil Procedure
govern the conduct of the action. The Attorney General shall
14 appear, answer and defend the action.

16 The Treasurer of State shall pay any judgment, including
costs and interest, on final process issued by the Superior Court
18 or, if applicable, the Supreme Judicial Court.

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SUMMARY

22

This resolve authorizes Germaine Bell to bring a civil
24 action against the State for damages in connection with services
she received from the Department of Human Services.