MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 933

H.P. 688

House of Representatives, February 21, 2019

Resolve, Authorizing Certain Persons To Sue the Town of Kittery

Reference to the Committee on State and Local Government suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Presented by Representative RYKERSON of Kittery. Cosponsored by Senator LAWRENCE of York and

Representative: MEYER of Eliot.

Sec. 1. Authorization to sue the Town of Kittery. Resolved: That, notwithstanding any other provision of law, those persons who claim to have suffered damages arising from the Kittery Community Center transport van accident on Interstate 95 in Greenland, New Hampshire on August 10, 2018, or their legal representatives, are authorized to bring a civil action against the Town of Kittery, Maine.

This action may be brought in the York County Superior Court within one year from the effective date of this resolve. 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 municipal officers of the Town of Kittery shall pay any judgment from funds of the town, including costs and interest, upon final process issued by the Superior Court or, if applicable, the Supreme Judicial Court.

Sec. 2. Waiver of statutory limitations. Resolved: That limitations on damages pursuant to the Maine Revised Statutes, Title 14, section 8105, subsection 1 are waived for the action described under section 1.

15 SUMMARY

 This resolve authorizes persons who claim to have suffered damages arising from the Kittery Community Center transport van accident on Interstate 95 in Greenland, New Hampshire on August 10, 2018 to sue the Town of Kittery for damages resulting from the accident and waives the statutory limitations on damage recovery.