

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**RESOLVES**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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Resolved: That the sum of \$9,000 for the first 9 months and, \$7,500 for the second 9 months and \$4,000 for the remainder of 1985 for 2 meetings of the commission be appropriated to the Legislative Account to carry out the purpose of this resolve. Per diems shall be paid to Legislators serving on the commission if it meets on a nonlegislative day. Other funds are for travel and other necessary expenses. Any unexpended funds shall remain in the Legislative Account.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 28, 1985.

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## CHAPTER 50

S.P. 508 - L.D. 1368

Resolve, Authorizing Clayton, Maryann,  
Jeremy and Elizabeth Huff to  
Bring Civil Action Against the State  
and Cumberland County.

Action against the State of Maine and Cumberland County authorized. Resolved: That Clayton, Maryann, Jeremy and Elizabeth Huff, of Portland, be authorized to bring suit against the State and its political subdivision, Cumberland County.

On the morning of December 27, 1982, Maryann Huff was attacked and stabbed repeatedly at her residence by one Jon A. Brown. At the time of the attack, Jon A. Brown was an inmate at the Maine State Prison based on his conviction for gross sexual misconduct and theft. While in prison he had been convicted of assault and trafficking. He had been given a furlough which ended on December 26, 1982. At the time he attacked Maryann Huff, Jon A. Brown was an escapee from the Maine State Prison.

As a result of the attack, Mrs. Huff suffered severe and permanent mental and physical injuries, required extensive surgery, including open heart and abdominal surgery, and was hospitalized for a long period of time. Jeremy Huff, then age 2, and Elizabeth Huff, then an infant, witnessed the attack on their mother Maryann Huff. Clayton, Maryann, Jeremy and Elizabeth Huff allege negligence against

the State for determining that a furlough would be given to Jon Brown, failing to notify the public of Brown's escape, in failing to transport or retrieve Jon A. Brown when notified of his impending escapee status and in supervising Jon A. Brown in an improper and negligent manner.

The action, if authorized, is to be brought in the Superior Court for the County of Cumberland within one year from the passage of this resolve, against the State for damages, if any. The action and the conduct of it shall be according to the practice of actions or proceedings between parties in Superior Court. The Attorney General is authorized and designated to appear, answer and defend this action.

Any judgment that may be recorded in this civil action shall be payable from the Treasurer of State. Recovery by Clayton, Maryann, Jeremy and Elizabeth Huff in this civil action, if any, shall not exceed the higher of \$300,000 or the applicable insurance policy limits, if any.

Effective September 19, 1985.

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