

128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1554

H.P. 1070

House of Representatives, April 27, 2017

Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator

(AFTER DEADLINE)

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

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative BEEBE-CENTER of Rockland.

Sec. 1. Authorization to bring suit. Resolved: That, notwithstanding any statute or common law to the contrary, Claire Dean Perry and the estate of William Dean are authorized to bring suit against the surety bond that was obtained by the Department of Health and Human Services in the department's capacity as public conservator or public guardian of William Dean and that was filed with the Probate Court pursuant to the Maine Revised Statutes, Title 18-A, section 5-611. This resolve is a waiver of the State's defense of immunity under Title 14, chapter 741.

SUMMARY

9 This resolve authorizes Claire Dean Perry and the estate of William Dean to bring 10 suit against the surety bond that was obtained by the Department of Health and Human 11 Services in the department's capacity as public conservator or public guardian of William 12 Dean and that was filed with the Probate Court pursuant to the Maine Revised Statutes, 13 Title 18-A, section 5-611. This resolve constitutes a waiver of the State's defense of 14 sovereign immunity.

8