

# HOUSE . . . . . No. 1220

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By Mr. Belmonte of Framingham, petition of Edward W. Brooke and Robert A. Belmonte for legislation to increase the authority of the Attorney General to settle claims against state employees. The Judiciary.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Six.

AN ACT TO INCREASE THE AUTHORITY OF THE ATTORNEY GENERAL  
TO SETTLE CLAIMS AGAINST STATE EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1 Section 3C of chapter 12 of the General Laws, as amended, is  
2 hereby further amended by striking out the words "five hundred"  
3 appearing after the word "exceeding" and inserting in place  
4 thereof the words: — one thousand, — and also by striking out  
5 the words "three hundred" after the word "exceeding" and  
6 inserting in place thereof the words: — five hundred, — so that  
7 the first paragraph of said section 3C, as amended, will read as  
8 follows: — *Section 3C.* Any officer or employee of the common-  
9 wealth, or of the metropolitan district commission, may file  
10 with the attorney general, a writing requesting the attorney  
11 general to represent him in connection with a claim against him  
12 for bodily injuries or for damage to property, arising out of his  
13 operation of a motor vehicle or other vehicle owned by the com-  
14 monwealth, including one under the control of said commission,  
15 and stating that he thereby authorizes any decision that the at-  
16 torney general may make relative to a settlement of such claim.  
17 Upon such request and authorization, and whether or not suit  
18 has been brought upon such a claim, the attorney general, if  
19 after investigation it appears to him that such officer or em-  
20 ployee, at the time the claim arose, was acting within the scope  
21 of his official duties of employment, and that the claimant is

22 entitled to damages, may settle such claim for such amount,  
23 not exceeding one thousand dollars on account of bodily injury  
24 to one person, and not exceeding five hundred dollars on account  
25 of damage to property, as he shall determine to be just and  
26 reasonable.

27 If a release approved by the attorney general, given on a final  
28 settlement of such a claim, is presented to the state comptroller,  
29 together with a certificate of the attorney general certifying that  
30 said release was given in accordance with the provisions of this  
31 section, there shall be paid from the state treasury in accordance  
32 with section eighteen of chapter twenty-nine, from such appro-  
33 priation as may be made therefor the amount of the considera-  
34 tion stated in such release.