

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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Whereas, the question exists as to whether Maine has legal standing to sue to recover taxes unlawfully levied by New Hampshire; and

Whereas, the necessity of establishing legal standing is immediate; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

The Attorney General is authorized to undertake proceedings. Resolved: That the Attorney General is authorized to undertake proceedings, judicial or otherwise, on behalf of individuals or a class of residents of this State to recover taxes unlawfully collected from these residents by the State of New Hampshire pursuant to the provisions of Chapter 77-B, Revised Statutes Annotated of New Hampshire.

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

Effective June 22, 1977

CHAPTER 45

RESOLVE, Authorizing the Secretary of State to Convey the State's Interest in a Lot in Waldoboro, Lincoln County, to Clarify Title.

Secretary of State to convey interest in lot. Resolved: That the Secretary of State is authorized to sell and convey to Charles F. Holme of Round Pond Harbor, Lincoln County, Maine, for the sum of \$1 the interest of the State in the lot described in the deed from Walter E. Kaler, Jr., Richard Shuman, William Shaer, Roger Miller, Harland McLain, Carroll French, Athen Garland, Alton Simmons, Jr. and Larry Call, members of the Executive Committee of the Charles C. Lilly Post No. 149, and successors to Joseph Moyes, Dwight Sewell and Edward A. Genthner, trustees appointed by the American Legion, Charles C. Lilly Post No. 149, to Charles F. Holme, dated April 17, 1974 and recorded in Lincoln County Registry of Deeds in Book 803, Page 150, said transfer to be without cost to Charles F. Holme and to be for the purpose of confirming his title to said premises.

Effective October 24, 1977

CHAPTER 46

RESOLVE, Directing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor to the Northeastern Research Foundation, Inc.

RESOLVES, 1977

Emergency preamble. Whereas, Acts and Resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Marine Resources has leased the federal facilities at McKown Point, West Boothbay Harbor for the past several years; and

Whereas, the federal facilities at McKown Point, West Boothbay Harbor, have been declared federal surplus and may be transferred or leased to the State by the Federal Government; and

Whereas, the Bigelow Laboratory for Ocean Sciences has been utilizing a number of the federal buildings for several years, under contract with the Department of Marine Resources which expires July 1, 1977; and

Whereas, Bigelow Laboratory desires to continue this use; and

Whereas, the research being conducted by Bigelow Laboratory is of vital importance to the long-range understanding of the biological, chemical, physical and ecological processes occurring in the Gulf of Maine and the understanding of these processes is vital to proper management of the marine resources in the gulf; and

Whereas, the state's interest in the protection and management of its marine resources would be furthered by the continuation of research being conducted by Bigelow Laboratory; and

Whereas, a commitment of these facilities is necessary to allow the development of future plans for Bigelow Laboratory; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Commissioner of Marine Resources; directed to lease land. Resolved: That the Commissioner of Marine Resources, in the name of the State of Maine, is directed to enter a contract, consistent with its obligations to the Federal Government with respect to the facilities, to lease all or part of a certain lot or parcel of land and the buildings thereon, situated in West Boothbay Harbor in the County of Lincoln and the State of Maine; being the parcel or lot presently owned by the United States, known as the Biological Laboratory and described in the General Services Administration Real Property Survey, dated May 1, 1973, Inventory Control No. 134-30174-23, as Parcel A and Parcel B, together comprising 4.6 acres, excluding property leased to the State of Maine in March, 1969, for a 20-year term, to Bigelow Laboratory for Ocean Sciences, a Division of Northeastern Research Foundation of West Boothbay Harbor, in the County of Lincoln and the State of Maine. This lease shall be effective July 1, 1977, and continue for a one-year period subject to renegotiation for an additional one-year period with the review and approval of the Joint Standing Committee on Marine Resources.

The lease agreement shall be prepared in consultation with the Joint Standing Committee on Marine Resources and shall be completed no later than

June 30, 1977. At least 10 days prior to that day, the commissioner shall submit the lease agreement in its final form to the committee for its review.

If Bigelow Laboratory enters into the lease of land and buildings described herein, it shall submit to the Joint Standing Committee on Marine Resources a report on its uses of the land and buildings, the research undertaken, the expenditures for maintenance and improvement, the plans for use of the facilities during the next reporting period and the efforts undertaken to define their relationship to the State beyond the terms of this lease. This report shall be submitted no later than January 1, 1978.

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

Effective June 27, 1977

CHAPTER 47

RESOLVE, Authorizing Health Insurance Coverage for Fifteen Retired State Troopers.

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, in February, 1972, 15 retired state troopers were erroneously enrolled in the Maine State Employees Health Insurance Program; and

Whereas, these enrollments which were solicited in error have been properly removed from the plan due to ineligibility; and

Whereas, having acted in good faith and without fault the 15 individuals involved are in immediate need of state health insurance coverage; and

Whereas, the Department of Public Safety has funds within their budget to reinstate these individuals forthwith if authority is given to the trustees by the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

State group health coverage authorized; Resolved: That the trustees of the Maine State Employees Health Insurance Program be authorized and directed to reinstate the 15 retired state troopers who were erroneously enrolled in the state plan with no break in coverage and that the cost for such coverage be paid from the budget of the Department of Public Safety; and be it further