

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

# STATE OF MAINE

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RESOLVES

OF THE

STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

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## Chapter 91

### RESOLVE, Charging off Funds Advanced to Maine State Office Building Authority.

**Funds; charged off. Resolved:** That the State Controller be, and hereby is, authorized to charge off \$286,045.04, which was advanced to the Maine State Office Building Authority in accordance with chapter 76 of the private and special laws of 1941, as amended by chapter 51 of the private and special laws of 1945.

Effective August 28, 1957

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## Chapter 92

### RESOLVE, Relating to Construction of a Road and Terminal in City of Rockland.

**Emergency preamble.** Whereas, under the provisions of chapter 176 of the resolves of 1951, and chapter 129 of the resolves of 1955, certain state moneys were appropriated for a road and terminal in the city of Rockland and such appropriation was to be available until June 30, 1957; and

Whereas, Federal funds have been appropriated for a survey of the harbor at Rockland; and

Whereas, it is deemed vital by the Legislature that the survey should be completed before any state moneys are expended; and

Whereas, it is vitally necessary to extend the time during which the state moneys are available beyond June 30, 1957; and

Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment; 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

**Resolves, 1951, c. 176, amended. Resolved:** The 5th and 6th paragraphs of chapter 176 of the resolves of 1951, as enacted by chapter 129 of the resolves of 1955, are hereby amended to read as follows:

‘That, in addition to the \$50,000 appropriated by the 4th paragraph, an additional sum up to \$50,000 be, and hereby is, appropriated from the unappropriated surplus of the general fund for the same purposes, to be available until June 30, ~~1957~~ 1959.

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It is the intent of the Legislature to increase the amount available from \$50,000 to \$100,000, and that only such portion of said \$100,000 shall be paid to the Rockland Port District ~~or the city of Rockland~~ as shall be necessary for the purposes of the said 4th paragraph as may be determined by the Governor and Council; and be it further

**Resolved:** That the last paragraph of chapter 176 of the resolves of 1951, as amended by chapter 91 of the resolves of 1953 and chapter 129 of the resolves of 1955, is hereby further amended to read as follows:

'That such appropriation be available until June 30, ~~1957~~ 1959.'

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

Effective May 17, 1957

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## Chapter 93

**RESOLVE, Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine.**

**Franklin T. Kurt; to sue State. Resolved:** That Franklin T. Kurt of Huntington, New York, be, and hereby is, authorized to bring a suit at law in the Superior Court of the county of Hancock within one year from the first day of October, 1957, at any term thereof against the State of Maine for the recovery of title in a real action to a certain island lying in Buck Harbor, in that part of the town of Brooksville called South Brooksville, in Hancock county, being designated on the official map of the United States Geological Survey as "Harbor Island," and also known as "Buck's Harbor Island," together with the adjacent and connected and outlying rocks and reefs to the line of lowest tide on all sides of the same; the writ issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by attested copy 30 days before the return day thereof by the sheriff or either of his deputies of any county of the State of Maine and the conduct of said suit shall be according to the practice of suits and proceedings between parties and suitors in said Superior Court and the liabilities of the parties shall be the same as the liabilities between individuals; and the Attorney General is hereby authorized and designated to appear to answer to said suit for the recovery of said island by the said Franklin T. Kurt. Hearing thereon shall be before 3 Justices of the Superior Court without a jury, said Justices to be assigned by the Chief Justice of the Supreme Judicial Court; and be it further

**Resolved:** That it is the sole intent of the Legislature to authorize the bringing of the suit and that the passage of this resolve shall not in any way be construed as a finding in respect to facts or liability, and such matters shall be determined by the tribunal above described.

Effective August 28, 1957