

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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1961

RESOLVES
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

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lonskee Lake in the Town of Oakland in the County of Kennebec; and be it further

Resolved: That said appropriation shall be paid to the Messalonskee Fish and Game Club as the state's share of said repairs; and be it further

Resolved: That the state's share shall be $\frac{1}{2}$ the cost of said repairs or \$2,000, whichever is the lesser.

Effective September 16, 1961

Chapter 50

RESOLVE, Authorizing Cianchette Bros., Inc. to Bring Civil Action Against State of Maine.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after the Legislature has adjourned unless enacted as emergencies; and

Whereas, the accurate establishment of costs of completed federal highway projects is essential to the planning of future highway projects in the next fiscal year; and

Whereas, prompt judicial determination of pending claims relating to such projects is necessary to such establishment and is vital in obtaining 90% federal participation in the project costs; 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

Cianchette Bros., Inc.; authorized to sue the State of Maine. Resolved: That Cianchette Bros., Inc., a corporation located at Pittsfield, County of Somerset, and State of Maine, which claims to be entitled to recover additional compensation for extra work performed in the construction of Messalonskee Stream Bridge in Waterville by virtue of a contract with the State Highway Commission, is authorized to bring a civil action for such claimed compensation within one year from the effective date of this resolve in the Superior Court for the County of Somerset. The complaint issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by true copy by the sheriff or either of his deputies in any county of the State of Maine, and the conduct of said action shall be according to the practices of actions and proceedings between individual parties and suitors in said Superior Court, and the substantive rights and liabilities of the parties shall be the same as rights and liabilities between individuals.

Any recovery in said action shall not exceed the sum of \$107,742.07. The Attorney General is authorized and designated to appear, answer and defend said action. Any judgment that may be recovered in said civil action shall be payable from the Highway Fund of the State on final process issued by said Superior Court, or, if appealed, the Supreme Judicial Court and costs may be

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taxed to the said Cianchette Bros., Inc. if it recovers in said action. 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.

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

Effective April 4, 1961

Chapter 51

RESOLVE Regulating Ice Fishing on Millinocket Lake, Big Pleasant Lake and Spider Lake, Piscataquis County.

Lakes in Piscataquis County; ice fishing regulated. **Resolved:** That the Commissioner of Inland Fisheries and Game be authorized and directed to issue a rule and regulation opening Millinocket Lake, T8, R9, T7, R9; Big Pleasant Lake, T9, R11, T10, R11 and Spider Lake, T9, R11, T9, R12, all in Piscataquis County, to ice fishing for all fish from February 1st to March 31st for the calendar years 1962 and 1963.

Effective September 16, 1961

Chapter 52

RESOLVE, to Provide Retirement Credit for Kenneth W. Hodgdon of Augusta.

Retirement credit for Kenneth W. Hodgdon. **Resolved:** That Kenneth W. Hodgdon, of Augusta, be given credit toward retirement under the Revised Statutes, chapter 63-A, for the period of time he served in the Armed Forces, from August 2, 1941 to January 6, 1946, to be paid for from the funds of the Department of Inland Fisheries and Game.

Effective September 16, 1961

Chapter 53

RESOLVE, Reimbursing City of Bangor for Improving Bass Park.

City of Bangor; reimbursed. **Resolved:** That there is appropriated from the Stipend Fund of the Department of Agriculture the sum of \$6,283 to be paid to the City of Bangor for work completed on the fairgrounds in Bass Park.

Effective September 16, 1961