

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

RESOLVES
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Seventh Legislature
1975

C. The Bureau of Public Lands shall take all reasonable and practicable measures necessary to provide for the reasonable annual requirements for logs and lumber of the Pineland Center, and shall permit the Pineland Center and its employees to harvest without cost reasonable amounts of gravel from pits on the premises;

D. The Director of the Bureau of Public Lands shall have the right, in his sole discretion, to close to public access, including employees and residents of the Pineland Center, all or any portion of the transferred premises for such period of time as he may designate, in the event of danger to health and safety from cutting operations, fire or other reasonable cause;

E. The Director of the Bureau of Public Lands shall formulate and amend all management and cutting plans for the transferred premises. The Director, or his designees, and the Superintendent of the Pineland Center, or his designees, shall jointly meet and consult with respect to all such plans and amendments to plans prior to the implementation of such plans;

F. The transferred premises at the Pineland Center described in paragraph 3 shall be subject to the following restrictions:

No residential or commercial structures shall be constructed on the premises; no industrial activities other than those directly associated with the cutting, carrying away or processing of timber shall be carried out on the premises; no mining activities other than the harvesting of sand and gravel from established pits shall be permitted on the premises; and no billboards or aircraft landing sites shall be erected or placed on the premises for so long as the said premises are under the care, custody and control of the Bureau of Public Lands.

Effective October 1, 1975

CHAPTER 7

RESOLVE, Authorizing Priscilla Blodgett of Augusta or her Legal Representatives to Bring an Action against the State of Maine.

Priscilla Blodgett; authorized to sue the State of Maine. Resolved: That Priscilla Blodgett of Augusta, County of Kennebec and State of Maine, who suffered serious personal injuries while a patient at the Augusta Mental Health Institute be authorized to bring suit against the State of Maine.

On June 2, 1974, Priscilla Blodgett was a patient at the Augusta Mental Health Institute. She was court committed and, therefore, an involuntary patient. On numerous times in the past, Priscilla Blodgett had attempted to commit suicide and was confined to a ward at Augusta Mental Health Institute for those who were suicidal; said ward to be kept locked for protection of the patients. On June 2, 1974, the Augusta Mental Health Institute, through its employees, was allegedly negligent in allowing the keys to the ward to be entrusted to another patient, an elderly woman who is now in a nursing home. At Priscilla Blodgett's request, the door was unlocked and Priscilla Blodgett was allowed to leave the Augusta Mental Health Institute and proceed to her home in Augusta.

As a result of the alleged negligence of the employees of the Augusta Mental Health Institute and the Augusta Mental Health Institute, Priscilla Blodgett again attempted suicide and suffered serious injuries including but not limited to a permanent impairment of one side of her face.

Such action, if authorized, is to be brought in the Superior Court for the County of Kennebec within one year from the passage of this resolve, against the State of Maine for damages, if any, and the conduct of such action shall be according to the practice of actions or proceedings between parties in said Superior Court. The liabilities of the parties and elements of damage, if any, shall be the same as liabilities and elements of damage as between individuals. The complaint issuing out of said Superior Court under the authority of this resolve shall be served on the Secretary of State by attested copy by the sheriff or either of his deputies in any county of the State of Maine. The Attorney General is authorized and designated to appear, answer and defend said action.

Any judgment that may be recovered in this civil action shall be payable from the State Treasury on final process issued by the said Superior Court, or if applicable, the Supreme Judicial Court, and costs may be taxed for Priscilla D. Blodgett if she recovers in the action, and her recovery shall not exceed \$25,000 including costs. Hearing thereon shall be before a Justice of the Supreme Judicial Court or Superior Court without a jury, said Justice to be assigned by the Chief Justice of the Supreme Judicial Court.

Effective October 1, 1975

CHAPTER 8

RESOLVE, Authorizing the Destruction of Student Fingerprint Cards Maintained by State.

Destruction of student fingerprint cards, authorized. Resolved: That the State Archivist is authorized to destroy the student fingerprint cards which were transferred by the Maine State Police to his custody upon the termination of the student fingerprint program by Public Law 1973, chapter 5.

Effective October 1, 1975

CHAPTER 9

RESOLVE, Authorizing Sherman Collins, Francis Fitzmaurice, the Estate of Durward G. Turner, Durward G. Turner, Jr., David G. Turner and Ellen S. Turner to Bring Civil Action Against the State of Maine.

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

Whereas, there is now pending in the Superior Court of the County of Franklin a lawsuit filed by Eleanor Turner as administratrix of the estate of Durward Turner, Durward G. Turner, Jr., David G. Turner and Ellen S. Turner and naming as defendants Sherman Collins and Francis Fitzmaurice and being Civil Action Docket No. 2513 on the docket of said court; and