

# 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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

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## RESOLVES, 1975

If such payment in full is not made within 90 days of the effective date of this Resolve, then the Director of the Bureau of Forestry is authorized and directed to convey by sale, by sealed bid delivered by certified or registered mail, the interest of the State in certain land in Piscataquis County as noted above; provided

1. That notice of such sale be published 3 times, once each week in a newspaper with county-wide circulation in Piscataquis County;
2. That the parcel shall not be sold for less than a qualified appraised value obtained by the Director of the Bureau of Forestry. In the event of identical high bids, the bid postmarked earlier shall be considered the high bid; and
3. That the director shall have the right to accept and reject all bids.

In the event that bids at least in the amount of the qualified appraised value are not received after the notice, the Director of the Bureau of Forestry may thereafter sell such property for not less than the amount of the qualified appraised value without asking for bids, provided that such parcel is sold on or before November 1, 1976.

The Director of the Bureau of Forestry shall, upon receipt of payment as specified, record the deed in the Piscataquis County Registry of Deeds at no additional charge to the purchaser, before sending the deed to the purchaser.

Upon receipt of such payment, the amounts due to the State, including all costs associated with the sale of the land, and the amount due to the Town of Medford shall be paid. The surplus value remaining shall be refunded to Fred C. Bradeen; and be it further

**Resolved:** That chapter 26 of the Resolves of 1973, as amended, is repealed.

Effective October 1, 1975

## CHAPTER 14

### RESOLVE, Authorizing Peggy Lanpher of South China or Her Legal Representatives to Bring Civil Action Against the State of Maine.

**Peggy Lanpher; authorized to sue the State of Maine. Resolved:** That Peggy Lanpher of South China, County of Kennebec, 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 December 9, 1974, a window screen was allowed to remain open and unlocked on the 3rd floor of the Augusta Mental Health Institute in the room of Peggy Lanpher, due, she claims, to the negligence of the employees of the Augusta Mental Health Institute, to wit:

The employees of the Augusta Mental Health Institute were knowledgeable that Peggy Lanpher was particularly depressed and prone to commit suicide as she was in a ward for suicidal patients, and had a history of suicide attempts, and was upset over having to remain in the institute.

Despite this knowledge, a window screen was left unlocked in her room, it being not the normal course of procedure and operation in this ward to allow the window screen to be left unlocked.

As a result of the alleged negligence of the employees of the Augusta Mental Health Institute, she was allowed to jump from the 3rd floor window and received severe personal injuries including, but not limited to, broken legs and a broken hip.

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 file process issued by the said Superior Court, or, if applicable, the Supreme Judicial Court and costs may be taxed for Peggy Lanpher if she recovers in the action, and her recovery shall not exceed \$50,000, 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

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## CHAPTER 15

RESOLVE, for Laying of the County Taxes for the Years Nineteen Hundred and Seventy-five and Nineteen Hundred and Seventy-six.

**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 several counties hereinafter named have certain expenses and liabilities which must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1975 hereinafter mentioned be immediately assessed, in order to provide the required revenue for the several counties; 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

**County taxes apportioned. Resolved:** That the sums appearing opposite to the names of the counties in the following schedule are hereby granted as a tax on each county respectively, to be appropriated, assessed, collected and applied to the purposes of paying debts and necessary expenses of the same and for purposes