

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**RESOLVES**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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Staff assistance. Resolved: That the Legislative Council shall provide staff assistance to the committee; and be it further

Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve:

1985-86

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Personal Services	\$1,800
All Other	<u>5,000</u>
Total	\$6,800

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

Effective June 28, 1985.

**CHAPTER 48**

H.P. 911 - L.D. 1302

Resolve, to Authorize State Funding of the Penobscot Nation Museum.

Penobscot Nation Museum; appropriation. Resolved: That the sum of \$30,000 for the fiscal year starting July 1, 1985, is appropriated from the General Fund to the Penobscot Nation for the purpose of the one time start-up cost of the Penobscot Nation Museum.

Effective September 19, 1985.

**CHAPTER 49**

H.P. 935 - L.D. 1341

Resolve, Extending the Life of the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs.

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

Whereas, pursuant to Resolve, 1983, chapter 47, a Commission on the Availability, Quality and Delivery of Services Provided to Children with Special Needs was established and as amended by Resolve 1983, chapter 86; that resolve required that the commission submit a report, together with any legislation, to the Second Regular Session of the 112th Legislature; and

Whereas, the commission has completed its report and prepared comprehensive recommendations; and

Whereas, the report requires the departments affected to report to the commission their progress on specific assignments and recommendations; and

Whereas, unless this legislation is enacted as emergency legislation, the commission will expire without having fully completed its very important task; 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

Commission extended. Resolved: That Resolve, 1983, chapter 47, 3rd paragraph, as amended by Resolve, 1983, c. 86, is further amended to read:

Resolved: That the commission meet at least 3 times as a committee of the whole, and at such other times in subcommittees, as necessary, to study the problem through examination of data from Maine and other states, to consult with recognized experts in these areas, to conduct public hearings throughout the State and to prepare an interim report which shall be distributed throughout the State and submitted to the Second Regular Session of the 111th Legislature and a final report which shall be distributed throughout the State and submitted, together with any accompanying legislation, to the First and Second Regular Session of the 112th Legislature; and be it further

Resolve 1983, c. 47, last paragraph, as amended by Resolve, 1983, c. 86, is further amended to read:

Resolved: That the sum of \$9,000 for the first 9 months and, \$7,500 for the second 9 months and \$4,000 for the remainder of 1985 for 2 meetings of the commission be appropriated to the Legislative Account to carry out the purpose of this resolve. Per diems shall be paid to Legislators serving on the commission if it meets on a nonlegislative day. Other funds are for travel and other necessary expenses. Any unexpended funds shall remain in the Legislative Account.

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

Effective June 28, 1985.

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## CHAPTER 50

S.P. 508 - L.D. 1368

Resolve, Authorizing Clayton, Maryann,  
Jeremy and Elizabeth Huff to  
Bring Civil Action Against the State  
and Cumberland County.

Action against the State of Maine and Cumberland County authorized. Resolved: That Clayton, Maryann, Jeremy and Elizabeth Huff, of Portland, be authorized to bring suit against the State and its political subdivision, Cumberland County.

On the morning of December 27, 1982, Maryann Huff was attacked and stabbed repeatedly at her residence by one Jon A. Brown. At the time of the attack, Jon A. Brown was an inmate at the Maine State Prison based on his conviction for gross sexual misconduct and theft. While in prison he had been convicted of assault and trafficking. He had been given a furlough which ended on December 26, 1982. At the time he attacked Maryann Huff, Jon A. Brown was an escapee from the Maine State Prison.

As a result of the attack, Mrs. Huff suffered severe and permanent mental and physical injuries, required extensive surgery, including open heart and abdominal surgery, and was hospitalized for a long period of time. Jeremy Huff, then age 2, and Elizabeth Huff, then an infant, witnessed the attack on their mother Maryann Huff. Clayton, Maryann, Jeremy and Elizabeth Huff allege negligence against