

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

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

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Twin City Printery  
Lewiston, Maine  
1989

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**RESOLVES**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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1987-88

LEGISLATURE

All Other \$4,800

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

Effective June 25, 1987.

**CHAPTER 45**

H.P. 471 — L.D. 638

**Resolve, Compensation to Sharon Trafton Duthie for Damage to her Car Caused by an Escapee.**

**Sharon Trafton Duthie; reimbursed. Resolved:** That there is appropriated from the General Fund the sum of \$786.58 to be paid to Sharon Trafton Duthie of Charleston as a full and final settlement of her claim against the State for damage to her car by an escapee from the Charleston Correctional Center; and be it further

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

1987-88

FINANCE, DEPARTMENT OF

Miscellaneous Acts and Resolves — Finance \$786.58

Effective September 29, 1987.

**CHAPTER 46**

H.P. 1235 — L.D. 1687

**Resolve, Authorizing Dorothy Gammon to Bring Civil Action Against the State and Cumberland County.**

**Action against the State and Cumberland County Authorized. Resolved:** That, notwithstanding the Maine Tort Claims Act, the Maine Revised Statutes, Title 14, chapter 741, Dorothy Gammon, of Portland, be authorized to bring suit against the State and its political subdivision, Cumberland County, for damages caused by alleged negligence of the State and Cumberland County in maintaining or failing to maintain custody of Dwayne Lakin and in failing to notify Dorothy Gammon when Dwayne Lakin was returned to custody.

Action is to be brought within one year of the passage of this resolve in Superior Court of Cumberland County. Liability of and damages against the State and Cumber-

land County shall be determined according to state law, just as in litigation between individuals.

Any judgment that may be awarded in this civil action against the State shall be payable from the Treasurer of State on final process issued by the Superior Court or, if applicable, the Supreme Judicial Court. Any judgment that may be awarded in this civil action against Cumberland County shall be payable from the Treasurer of Cumberland County upon final process issued by the Superior Court or, if applicable, the Supreme Judicial Court. Total recovery by Dorothy Gammon from all sources in this civil action shall not exceed \$50,000, except that, if either governmental entity has procured insurance against liability, that governmental entity may be liable to the limits of the insurance coverage. Hearing shall be before a Justice of the Superior Court with or without a jury.

Notwithstanding this resolve, an action against an employee of the State or Cumberland County shall continue to be governed by the Maine Tort Claims Act, the Maine Revised Statutes, Title 14, chapter 741.

Effective September 29, 1987.

**CHAPTER 47**

S.P. 167 — L.D. 471

**Resolve, to Establish a Commission to Study the Feasibility of Constructing a 4-lane Highway from Interstate 95 to the St. John Valley.**

**Commission established. Resolved:** That the Commission on the Feasibility of Constructing a Highway to the St. John Valley be established. The commission shall be composed of the Commissioner of Transportation; the Commissioner of Agriculture, Food and Rural Resources; the Director of the State Planning Office; the Director of the Regional Planning Commission and the Commissioner of Economic Development, if that position is created before the effective date of this resolve. One member of the transportation committee is to be appointed by the President of the Senate and another member from the committee is to be appointed by the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives shall jointly appoint 2 residents of Aroostook County, one person from the northern part of the county and the other person being from the central part of the county. The commission shall elect a chairman from among its members. The members of the commission shall receive reimbursement for expenses upon application to the Executive Director of the Legislative Council. The commission shall request staff assistance from the Legislative Council. The chairman of the Legislative Council shall convene the first meeting of the commission; and be it further