

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.

Twin City Printery
Lewiston, Maine
1989

RESOLVES

OF THE

STATE OF MAINE

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

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

Feasibility of highway. Resolved: That the commission shall study the feasibility of constructing a 4-lane highway, with controlled access, from the end of the existing Interstate 95 to the St. John Valley. The commission may conduct an impact study if necessary. The commission shall report its findings, together with any necessary legislation, to the Second Regular Session of the 113th Legislature by February 15, 1988; and be it further

Allocation. Resolved: That the following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1987-88

LEGISLATURE

Commission on the Feasibility of Constructing a Highway to the St. John Valley

All Other \$3,500

This allocation provides funds for anticipated travel, printing and miscellaneous expenses of the commission.

Effective September 29, 1987.

CHAPTER 48

H.P. 1215 — L.D. 1657

Resolve, to Compensate Jacqueline A. Caron, Personal Representative of the Estate of Alphee Caron, for Wrongful Death and for Personal Injuries on Behalf of Herself and her Minor Child, Jeffrey Caron, in Excess of Statutory Limits of Recovery.

Compensated by State. Resolved: That there is allocated from the Highway Fund the sum of \$75,000 to be paid by the Commissioner of Transportation to Jacqueline A. Caron individually and as personal representative of the estate of Alphee Caron and as next friend of Jeffrey Caron, as compensation for personal injuries and wrongful death, in addition to the settlement paid by the State under the Maine Revised Statutes, Title 14, chapter 741; and be it further

Tuition paid at the University of Maine System, the Maine Vocational-Technical Institute System or the Maine Maritime Academy. Resolved: That Jeffrey Caron and Tina Marie Caron, the children of Jacqueline A. Caron and Alphee Caron, each be permitted to attend the equivalent of 4 years of post-secondary education at the University of Maine System, the Maine Vocational-Technical Institute System or the Maine Maritime Academy without payment of tuition or fees; and be it further

Full and final settlement. Resolved: That the compensation represented by this resolve be full and final settlement of Jacqueline A. Caron's claim against the

State for the death of Alphee Caron; and be it further

Allocation. Resolved: That the following funds are allocated from the Highway Fund to carry out the purposes of this resolve.

1987-88

TRANSPORTATION, DEPARTMENT OF

Highway Maintenance — Summer

All Other \$75,000

Provides funds to provide Jacqueline A. Caron additional compensation for losses suffered from the death of her husband.

Effective September 29, 1987.

CHAPTER 49

H.P. 1339 — L.D. 1831

Resolve, Requiring the Commissioner of Educational and Cultural Services to Develop a Plan to Improve Elementary and Secondary Curriculum to Better Prepare Maine Students for the World of Work.

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

Whereas, despite all the positive steps taken to improve and enhance the elementary and secondary curriculum in the State, there is still a widespread consensus among Maine employers that new entrants to the work force have been poorly prepared for the world of work both in terms of their educational skills and career guidance; and

Whereas, based on information gathered through the Maine Education Assessment Program of 11th graders, Maine secondary students are not receiving as much in-school assistance as they need. Secondary school teachers felt only somewhat or inadequately prepared to relate their subject areas to the world of work and too many teachers believed it was not their responsibility to be involved in formalized career-related activities; and

Whereas, any delay in addressing these issues will have far-reaching economic effect well into the future and will be a great disservice to many of Maine's youth; and

Whereas, the Joint Select Committee on Economic Development would like to have a plan to address these issues implemented before the adjournment of the First Regular Session of the 113th Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Con-