

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

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
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

(4) To purchase the realty served by the water supply in the event the cost of repair or replacement of the water supply exceeds the appraisal value of the realty.

C. The commission may issue rules and regulations in accordance with standards of the Department of Health and Welfare and the Public Health Service regarding water potability for the determination of the degree of contamination, pollution or fitness for domestic use.

D. The commission shall in its determination consider the necessity for installation or replacement of piping, tanks, pumps, heating systems or other related fixtures.

E. If the commission is unable to settle at what it deems a reasonable settlement the commission or owner may apply to the Land Damage Board in writing for a determination of the alleged cause and assessment of the damage. The proceedings shall then be the same as in condemnation cases.

F. This subsection shall not apply to private water supplies ~~that are cre-~~ated after the effective date of this Act where the location does not allow for or provide for adequate surface drainage.

G. This subsection shall not apply to private water supplies now located or hereafter located within the right-of-way limits.

H. This subsection shall not apply to any private water supply damaged by construction, reconstruction or maintenance which the commission determines to have already been contaminated or polluted by another source to the degree said contamination or pollution would have rendered it unfit for human consumption.

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

Effective June 26, 1969

Chapter 436

AN ACT Relating to Reasonable Counsel Fees Under Uniform Act on Paternity.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 19, § 271, amended. Section 271 of Title 19 of the Revised Statutes, as enacted by section 2 of chapter 325 of the public laws of 1967, is amended to read as follows:

§ 271. Obligations of the father

The father of a child which is or may be born out of wedlock is liable to the same extent as the father of a child born in wedlock, whether or not the child is born alive, for the reasonable expense of the mother's pregnancy and confinement and for the education, necessary support and funeral expenses of the child and reasonable counsel fees, for the prosecution of paternity proceedings.

Effective October 1, 1969

Chapter 437

AN ACT Revising Certain Probate Laws.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 18, § 2701, repealed and replaced. Section 2701 of Title 18 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 2701. Estates of persons disappeared for 7 years; exception

Any person who has been absent from his home and unheard of for a period of 7 or more years shall be presumed to be dead. If such person left a will, it shall be presented for probate, and, if he left no will, administration on his estate shall be granted by the court of probate having jurisdiction, and the settlement and distribution of his estate may be proceeded with in the same manner as if he were known to be dead, but the court, before granting an order for distribution or for payment of legacies named in such will, shall require from the legatees or distributees a bond or bonds with sufficient surety to the judge, conditioned to return the estate distributed or paid, with lawful interest thereon, to the person presumed to be dead, if he reappears and demands the same. If any such legatee or distributee is unable to give the security, the estate available for distribution shall be placed at interest on security approved by the court by the administrator or executor, as the case may be, which interest shall be paid annually by him to such legatee or distributee, and such estate shall remain at interest until the court of probate, by which such letters of administration or letters testamentary were granted, orders it to be paid to the legatee or distributee, but no order shall be made permitting such payment or distribution without the security provided for until at least 5 years have elapsed since the granting of such letters of administration or letters testamentary. After such administration and distribution, the executor or administrator shall not be liable to the person so presumed to be dead in any action for the recovery of such estate.

Sec. 2. R. S., T. 18, § 3601, amended. The last paragraph of section 3601