

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
**One Hundred and Fourth Legislature**

AT THE  
**SPECIAL SESSION**

January 6, 1970  
to  
February 7, 1970

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### Chapter 537

#### AN ACT Relating to Fee for Class A Restaurants Serving Malt Liquor.

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

R. S., T. 28, § 701, amended. The 2nd paragraph of section 701 of Title 28 of the Revised Statutes, as repealed and replaced by section 54 of chapter 513 of the public laws of 1965 and as amended, is further amended by inserting after the 11th line the following:

Restaurant, class A-Malt liquor.....200.00

Effective May 9, 1970

### Chapter 538

#### AN ACT Reclassifying Certain Inland and Tidal Waters of York County.

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

Whereas, the coastal streams of York County, and the York and Cape Neddick Rivers, are valuable natural resources of the State; and

Whereas, sewage wastes from increased residential development may adversely affect the present recreational uses and the estuarine environment of said coastal streams and the York and Cape Neddick Rivers unless the classification thereof is maintained at a high level; and

Whereas, the following legislation is vitally necessary to prevent such adverse effects; 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 enacted by the People of the State of Maine, as follows:*

**Sec. 1.** R. S., T. 38, § 369, amended. That portion of section 369 of Title 38 of the Revised Statutes which relates to York County is amended by adding a new subsection 13, to read as follows:

13. Coastal streams and direct or indirect tributaries thereof above head of tide, not otherwise designated or classified, which enter the tidal waters of York County—Class B-2.

**Sec. 2. R. S., T. 38, § 370, amended.** Subparagraphs C and E of subsection 10 of that portion of section 370 of Title 38 of the Revised Statutes under the caption **York County** are amended to read as follows:

**C.** Tidal estuary of York River from Route 1 crossing to head of tide, including tidal tributaries thereof—Class ~~SC~~ **SB-2**.

**E.** Estuary of Cape Neddick River from head of tide to point where longitude 70°-36'-46"—Class ~~SC~~ **SB-2**.

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

Effective January 27, 1970

## Chapter 539

### AN ACT Relating to Jurisdiction of Probate Courts in Adoption Cases.

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

Whereas, the Legislature by chapters 294 and 328 of the public laws of 1969 enacted laws which attempted to clarify the jurisdiction of the probate courts in adoption cases; and

Whereas, the present law has created a conflict of opinion within the several probate courts; and

Whereas, such conflicts of opinion and inconsistencies in the adoption laws have created uncertainties and confusions in interpreting legislative intent as such laws apply to adoption; and

Whereas, it is vitally necessary that such uncertainties be resolved so that injustices to the people of Maine may be avoided; 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 enacted by the People of the State of Maine, as follows:*

**R. S., T. 19, § 531, repealed and replaced.** Section 531 of Title 19 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

#### § 531. Persons who may adopt

Any husband and wife jointly, or any unmarried person, resident or non-resident of the State of Maine, may petition the probate court to adopt a