

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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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

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R. S., T. 19, § 531, repealed and replaced. Section 531 of Title 19 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof: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

person, regardless of age, and for a change of his or her name. Jurisdiction to grant such adoption and change of name shall be in the county where the person to be adopted lives or the county where the petitioner resides or the petitioners reside or in the county in which the placing agency to which the person to be adopted was duly surrendered and released is located. The consent of the natural parents shall not be required for the adoption of any person 20 years of age, or over.

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

Effective January 27, 1970

Chapter 540

AN ACT Relating to Leases of Buildings.

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

Whereas, it is critically important for the development of the State of Maine to attract investments in real estate and improvements on real estate; and

Whereas, the present provisions of section 6010 of Title 14 of the Revised Statutes constitute an impediment to normal real estate lease and financing transactions; and

Whereas, the following legislation is vitally necessary in order to promote the economy of the State of Maine; 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. 14, § 6010, amended. Section 6010 of Title 14 of the Revised Statutes is amended to read as follows:

§ 6010. Sums due for rent and damages

Sums due for rent on leases under seal or otherwise and claims for damages to premises rented may be recovered in an action, specifying the items and amount claimed, but no action shall be maintained for any sum or sums claimed to be due for rental or for any claim for damages for the breach of any of the conditions claimed to be broken on the part of the lessee, his legal representatives, assigns or tenant, contained in a lease or written agreement to hire or occupy any building, buildings or part of a building, during a period when such building, buildings or part of a building, which the