

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SECOND LEGISLATURE

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**Legislative Document**

**No. 1306**

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S. P. 410

In Senate, February 19, 1965

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Harding of Aroostook.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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### AN ACT Relating to Investigation in Divorce Cases Involving Child Custody.

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

**Sec. 1. R. S., T. 19, § 751, amended.** Section 751 of Title 19 of the Revised Statutes is amended to read as follows:

**§ 751. Investigation where custody of children involved**

Whenever in any divorce action the custody of a minor child is involved, the court may request the State Department of Health and Welfare to investigate conditions and circumstances of the child and its parents. Upon completion of investigation the department shall submit a written report to the court at least 5 3 days before date of hearing ~~and at the same time forward a copy thereof to all counsel of record.~~ **Such report shall at the discretion of the court be available for examination by counsel before a decree is made.** Upon request of any interested party the court shall require the person making the report to testify at time of hearing. **Whoever participates in making a report under this section or participates in a judicial proceeding resulting therefrom shall be immune from civil or criminal liability, unless such person acted in bad faith or with malicious purpose.**

**Sec. 2. Appropriation.** There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$66,180 for the fiscal year ending June 30, 1966 and the sum of \$67,460 for the fiscal year ending June 30, 1967 to carry out the purposes of this Act. The breakdown shall be as follows:

	1965-66	1966-67
HEALTH AND WELFARE, DEPARTMENT OF		
Personal Services	(II) \$56,680	(II) \$58,960
All Other	8,000	8,000
Capital	1,500	500
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	\$66,180	\$67,460