

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

PUBLIC, 1947

CHAP. 368

committee. On or before December 1, 1947, and biennially thereafter, except that for those persons in whom the disease is arrested the examination shall be annually, all superintendents of schools, supervisors, teachers, school nurses, janitors, school bus drivers, and persons employed in the preparation of school lunches shall file with the superintending school committee a certificate that such employee has had a chest x-ray performed and interpreted as showing no significant evidence of tuberculosis by persons recognized as skilled and experienced in such performance and interpretation. No person whose x-ray examination shows active tuberculosis shall be employed in any school or continued in employment while having such active disease. So far as practicable the existing state facilities, including the state sanatoria, shall be made available to such employees for such x-rays. The cost of such examination shall be borne by the employee. If done by the state, there shall be no charge for the service except for the actual cost of materials used. Said certificates shall be kept on file in the office of the superintendent of schools or in the office of the head of the private school. The provisions of this section shall apply to both public and private schools and to all grades common to the public school system. Provided, however, that a certificate stating that a standard intradermal tuberculin test has been performed and found to be "negative" by a licensed physician may be substituted for x-ray examination.'

Effective August 13, 1947

Chapter 368

AN ACT Relating to Service in Divorce Cases.

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

Sec. 1. R. S., c. 153, § 56, amended. Section 56 of chapter 153 of the revised statutes is hereby amended to read as follows:

'Sec. 56. Commencement of proceedings; service. The libelant may file in the clerk's office a libel, signed by him, or insert it in a writ of attachment with power to attach real and personal property, to respond to the decrees of the court as in other suits; and service thereon shall be made by summons and copy, 14 days before it is returnable; the court in any county or a justice thereof in vacation, may order notice as in other suits, provided, however, notice may be ordered upon writs of attachment with a libel inserted therein notwithstanding the fact that no attachment either real or nominal has been made on said writ; and no service of a writ of attachment with a libel for divorce inserted therein shall be held to be insufficient solely because no attachment either actual or nominal was

made thereon, provided the same be personally served on the libelee by summons and copy as aforesaid, or if notice be given in the manner and by such means as the court or any justice thereof may order under the provisions of this or the following section of this chapter.'

Sec. 2. P. L., 1947, c. 105, repealed; limitation. Chapter 105 of the public laws of 1947, heretofore passed by this legislature, amending section 56 of chapter 153 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1947.

Effective May 13, 1947

Chapter 369

AN ACT Relating to Neglected Children.

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

Sec. 1. R. S., c. 125, § 1, amended. Section 1 of chapter 125 of the revised statutes is hereby amended to read as follows:

'Sec. 1. Desertion of wife or children in destitute circumstances, or wilful non-support, when a felony; penalty; court may direct fine to be paid to wife; or may order respondent to make weekly payments; condition of recognizance. Whoever without lawful excuse deserts his wife when such wife is in destitute or necessitous circumstances, or, being able by means of his property or labor to provide for the necessary support and maintenance of his wife, without lawful excuse wilfully neglects or refuses to provide such support and maintenance when such wife is in destitute or necessitous circumstances, or whoever without lawful excuse deserts his or her minor child or children under the age of 16 years, or under the age of 18 years if regularly attending school, or being able by means of his or her property or labor to provide for the necessary support and maintenance of his or her minor child or children under said age, wilfully neglects or refuses to provide such support and maintenance when such child or children are in destitute or necessitous circumstances, when such offense is of a high and aggravated nature, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment with or without hard labor for not more than 2 years, or by both such fine and imprisonment, and if a fine is imposed, the court may direct that it be paid in whole or in part to the wife or to the guardian or custodian of the minor child or children; provided that before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion, having regard to the circumstances and to the financial