

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1963 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 1

Discard Previous Supplement

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA

1963

Sec. 401. Penalties.—

I. Willful falsification. Any person who willfully falsifies, willfully provides false information, makes or alters any certificate or certified copy except as provided for in this chapter, or who knowingly possesses and uses any such false or altered certified copy, or knowingly possesses and uses as his own, any certificate or certified copy pertaining to another person, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 and not more than \$1,000 or by imprisonment for not more than one year, or by both.

II. Dead bodies, vital statistics, etc. Any person who knowingly transports or accepts for transportation, interment or other disposition, a dead body without an accompanying permit issued in accordance with this chapter; any person who refuses to provide information required by this chapter; or any person who violates any of the provisions of this chapter having to do with the registration of vital statistics or neglects or refuses to perform any of the duties imposed upon him by this chapter having to do with the registration of vital statistics, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$100. (R. S. c. 22, § 390, 1959, c. 291, § 8, 1963, c. 172.)

Effect of amendments. — The 1959 amendment rewrote this section. using, etc., copies pertaining to another person and substituted "misdemeanor" for

The 1963 amendment added the provision as to false or altered certified copies, "felony" in subsection I.

Sec. 402. Repealed by Public Laws 1957, c. 298, § 10.

Sec. 403. Duty of state registrar when law violated.—When the state registrar of vital statistics believes that, in any place in this state, the certificates or records of live births, marriages, deaths or fetal deaths are not made or kept as is provided by law, or that any person neglects or fails to perform any duty required in the law relating to the registration of vital statistics, the said registrar may visit such places and make such investigations as he may deem necessary, and all records, blanks and papers of town clerks relating to live births, marriages, deaths or fetal deaths shall be open to his examination. Any person who refuses to permit or hinders the examination or investigation shall be punished by a fine of not less than \$25 nor more than \$50.

When the state registrar knows, or has good reason to believe, that any penalty or forfeiture under the law relating to vital statistics has been incurred, he shall forthwith give notice thereof, in writing, to the county attorney of the county in which said penalty or forfeiture has occurred, which notice shall state as near as may be the time of such neglect, the name of the person or persons incurring the penalty or forfeiture, and such other facts relating to the default of duty as said registrar may have been able to learn, and upon receipt of such notice the county attorney shall prosecute the defaulting person or persons. (R. S. c. 22, § 392, 1959, c. 291, § 9.)

Effect of amendment.—The 1959 amendment rewrote the first paragraph of this section.

Chapter 25-A.

Interdepartmental Board on Mental Retardation.

Sec. 1. Declaration of intent; creation of board. — In order to make possible joint and mutual planning and action by several state agencies in regard to those problems of the mentally retarded of Maine which are of direct concern to more than one department or agency of state government, there is created a

state board to be known as the interdepartmental board on mental retardation. (1959, c. 57.)

Sec. 2. Composition of board; election of chairman.—The board shall consist of the commissioners of education, health and welfare, institutional service and labor and industry, the chairman of the employment security commission and the chairman of the Maine committee on problems of the mentally retarded, and one additional member from each of the 3 departments of education, health and welfare and institutional service. The additional member shall be in each case the person designated by the commissioner as being most directly concerned with the services to the retarded rendered by that department. The first meeting shall be called by the commissioner of education not later than one month after the effective date of this law. At this meeting the members shall elect a chairman to serve for one year, at the end of which year they shall elect a chairman for the succeeding year. In electing the chairman, the members shall take into account the amount of time the person chosen will be able to devote to the duties of the office, in consideration of his other obligations. (1959, c. 57.)

Sec. 3. Frequency of meetings; duration of board.—Meetings of the board shall be held not less often than once in 2 months.

The board shall continue for 2 years after the effective date of this act. (1959, c. 57.)

Sec. 4. Duties of the board.—The board shall serve as an organized medium of exchange of information regarding the specific problems which concern each member; the philosophies and policies which underlie their program operations; and the development of new programs in individual agencies which may relate to and possibly serve or be served by operations in other agencies. The board shall also consult upon the effectiveness and adequacy in relation to the needs of the combined services provided by all state agencies, and shall plan jointly for the maintenance or alteration of existing services or the institution of new services, to secure adequate and comprehensive coverage with a minimum of unnecessary duplication.

The problems and areas of need to be considered by the board shall include but need not be limited to the following:

I. Services looking to the prevention of mental retardation;

II. Discovery and proper evaluation of the abilities of the mentally retarded and provision of counseling and guidance services for the parents and for the persons themselves;

III. Proper education and training, including preparation for employment;

IV. Employment adjustment services, including vocational evaluation and rehabilitation, special working conditions as needed, and facilitation of good employer-employee relations;

V. Special needs of the retarded living in the community and, where appropriate, provision of supervision and partial support and assistance;

VI. Selection of cases for institutionalization and for discharge from the institution;

VII. Services in the institution;

VIII. Prevention of the involvement in crime and of the unnecessary dependency of the retarded;

IX. Availability and means of securing trained personnel to operate all services; and

X. Research projects to determine the need for and effectiveness of services, and to find means of prevention or amelioration of the condition. (1959, c. 57.)

Sec. 5. Delegation of powers; authorization to form subcommittees.—Each member of the board may delegate in writing to a deputy or other subordi-

nate any of his powers and duties under this chapter. The board may establish for any of the several areas of its work subcommittees which may include other representatives of the departments or agencies listed in section 2. (1959, c. 57.)

Sec. 6. Compensation of members; utilization of departmental and agency assistance; consultation with other agencies.—The members of the board shall receive no compensation for their services, and necessary expenses incurred in the performance of their duties shall be borne by their respective departments and agencies.

The board is authorized to request any department or agency represented on the board to provide such facilities, including personnel, assistance and data, as will enable the board properly to carry out its activities.

The board may invite into consultation with itself or with its subcommittees members of other state agencies which are or should be concerned with the retarded. (1959, c. 57.)

Sec. 7. Reports.—The board shall present to the governor and legislature not later than January of each legislative year a report of its activities and such recommendations as it may deem appropriate. (1959, c. 57.)

Chapter 25-B.

Interstate Compact on Welfare Services.

Sec. 1. Compact.—The interstate compact on welfare services is enacted into law and entered into by this state with any other jurisdiction or jurisdictions legally joining therein in the form substantially as follows:

Interstate Compact on Welfare Services.

Article I. Policy, purpose and scope.

The policy of the states party to this compact is to make welfare services available on a reciprocal basis under this compact and to eliminate barriers caused by restrictive residence or settlement requirements of the several states. However, it is recognized that law and policy relating generally to the provision of welfare services by a particular state should not be determined by interstate compact and will remain a matter for determination by that party state and its subdivisions. This compact shall be open for joinder by any state of the United States and the District of Columbia.

Article II. Definitions.

As used in this compact, the phrase "welfare service" shall mean and include:

- I. Old age assistance;
- II. Aid to the blind;
- III. Aid to dependent children;
- IV. Aid to the permanently and totally disabled;
- V. General assistance or home relief, by whatever name known, for persons not eligible under other assistance categories;
- VI. Child welfare services;
- VII. Care of unwed mothers;
- VIII. Welfare medical services for those in need; provided that no party state shall be obligated to provide a welfare service which is not made available generally by its laws.

Article III. Provision of service.

No person who has removed himself from one party state to another party state