

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1957 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 1

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THE MICHEL COMPANY
CHARLOTTESVILLE, VIRGINIA
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Sec. 399. Evidentiary character of vital records.—Any certificate or record of any live birth, marriage, death or fetal death filed under the provisions of this chapter, or a copy thereof duly certified by its official custodian, shall be prima facie evidence of the fact of such birth, marriage, death or fetal death, if not “amended” or “delayed.” The probative value of “amended” or “delayed” records shall be determined by the judicial or administrative body or official before whom the certificate is offered in evidence. (R. S. c. 22, § 388. 1945, c. 320, § 4. 1957, c. 298, § 8.)

Effect of amendment. — The 1957 amendment rewrote this section.

Sec. 400. Correction of errors on vital statistics records.—Except as provided by this chapter, a certificate or record filed under the provisions of sections 378 to 403, inclusive, may be altered or amended only in accordance with such regulations as the department may adopt to protect the integrity of vital statistics records.

I. A certificate which has been altered or amended after its filing shall be marked “amended,” and the date on which the certificate or record was amended and a summary description of the evidence submitted in support of the correction shall be endorsed on the record. Any certified copies of certificates or records amended under the provisions of this section shall be marked “amended.”

II. Incomplete certificates and records may be completed from a supplementary form within one year after the date of filing without being considered altered or amended. (R. S. c. 22, § 389. 1957, c. 298, § 9.)

Effect of amendment. — The 1957 amendment rewrote this section.

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 Repealed by Public Laws 1957, c. 298, § 10.

Chapter 26.

Division of Veterans Affairs.

Divisional Organization.

Sec. 3. Duties of director.

V. Establish and maintain a permanent record of all members of the armed services from Maine who served in World War II and the Korean Campaign. (1947, c. 386, § 1. 1955, c. 460.)

Effect of amendment.—The 1955 amendment added the above subsection V at the end of this section. As the rest of the section was not changed, it is not set out.

Support of Dependents of Veterans of World War I, World War II or the Korean Campaign.

Sec. 10. Definitions.

II. The term “child” shall be construed to mean a child under the age of 16, or over age 16 and under age 18 if found by the division to be regularly attending school, or over 16 and not attending school if, prior to reaching age 16, the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, and shall include a foster child, a legitimate or legally adopted child of the veteran, or a stepchild if a member of the veteran’s household either at time of application, or in the event of the veteran’s death, at time of death, and who continues a member of the household, or an illegitimate child, provided that the veteran has been judicially ordered or de-

creed by the court to contribute to the child's support, or has been judicially decreed to be the putative father or has acknowledged under oath in writing that he is the father of such child. (1955, c. 109, § 1)

III. The term "parent" shall mean the father or mother of a veteran with whom the veteran lived during his minority and for whom he would be legally responsible under the laws of the state; or the foster father or mother of a veteran. (1955, c. 109, § 2)

V. The term "World War I" shall mean that period between April 6, 1917 and November 11, 1918, inclusive; if service was in Russia the ending date shall be on March 31, 1920. The term "World War II" shall mean that period between December 7, 1941 and December 31, 1946, inclusive. The term "Korean Campaign" shall mean that period between June 27, 1950 and January 31, 1955, inclusive. [1951, c. 157, § 2. 1955, c. 147, § 1]. (R. S. c. 22, § 299. 1947, c. 386, § 1. 1951, c. 157, §§ 1, 2. 1955, c. 109, §§ 1, 2; c. 147, § 1.)

Effect of amendments.—The first 1955 amendment inserted the words "a foster child" near the middle of subsection II and added the words "or the foster father or mother of a veteran" at the end of subsection III. The second 1955 amendment added "January 31, 1955, inclusive," at the end of the third sentence of subsection V

in lieu of the words "the date on which hostilities are declared to have ended, either by proclamation of the president or by joint resolution of congress." As the rest of the section was not changed by the amendments, only subsections II, III and V are set out.

Chapter 27.

Department of Institutional Service.

Sections 8-A to 8-C. Disposition of Detainers.

Sections 95 to 102-A. Hospitals for the Mentally Ill.

Sections 143-148. Pineland Hospital and Training Center.

Sections 159-165. Governor Baxter State School for the Deaf.

Organization.

Sec. 1. Supervision of institutions; commissioner, appointment, salary, qualification; heads; farm supervisor.

The insane hospitals, Pownal state school, the state prison, the reformatories for men and women, the juvenile institutions, the state sanatoriums, the school for the deaf, the military and naval children's home and such other charitable and correctional state institutions as may be created from time to time. The department shall be under the control and supervision of a commissioner of institutional service, hereinafter in this chapter called the "commissioner," who shall be appointed by the governor with the advice and consent of the council; said appointment shall be for 3 years and until his successor is appointed and qualified, or during the pleasure of the governor and council. Any vacancy shall be filled by appointment for a like term. He shall receive such salary as shall be fixed by the governor and council. The commissioner of institutional service shall be a person experienced in institutional administration, either as a superintendent, chief medical officer or business manager, or who has had other satisfactory experience in the direction of work of a comparable nature. Said commissioner shall have the power to appoint institutional heads as shall be necessary for the proper performance of the duties of said department, subject to the provisions of the personnel law. He may appoint such other employees as may be necessary, subject to the provisions of the personnel law. The heads or superintendents of the several said institutions under the department shall report directly to the said