

MAINE STATE LEGISLATURE

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New Draft of: H. P. 805, L. D. 1080

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1720

H. P. 1312

House of Representatives, May 10, 1971

Reported by Mr. Dyar from Committee on Health and Institutional Services and printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Improve the Enforcement of the Marriage Blood Test Requirement.

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

Sec. 1. R. S., T. 19, § 62, amended. The 3rd sentence from the end of section 62 of Title 19 of the Revised Statutes is repealed and the following enacted in place thereof:

Any certificate is void if not used within 60 days of the physical examination required by Title 22, section 1181.

Sec. 2. R. S., T. 22, § 1094, amended. Section 1094 of Title 22 of the Revised Statutes is amended by adding at the end 2 new sentences to read as follows:

Whenever any diagnostic clinical laboratory in the State, whether private or associated with a nonprofit or state operated institution shall perform a laboratory test, the results of which would indicate that the patient upon whom the test is performed is infected with any of the diseases mentioned in this section, such laboratory shall report such findings to the department. The department shall specify the procedure to be followed in making such reports and shall provide laboratories with the necessary forms.

Sec. 3. R. S., T. 22, § 1181, amended. Section 1181 of Title 22 of the Revised Statutes is amended by adding at the end a new sentence to read as follows:

When in the opinion of the Commissioner of Health and Welfare the incidence of syphilis in the State has declined to the point at which the perform-

ance of premarital blood testing has no value in the control of the disease, said commissioner may waive the requirements of this section and sections 1182 to 1187.

Sec. 4. R. S., T. 22, § 1182, amended. The first sentence of section 1182 of Title 22 of the Revised Statutes, as amended by chapter 8 of the public laws of 1967, is further amended to read as follows:

Because of emergency or other cause shown by affidavit or other proof, any Justice of the Superior Court, judge of probate or Judge of a District Court, if satisfied that the public health and welfare will not be injuriously affected thereby, may make an order, in his discretion, on joint application of both of the parties desiring the marriage license, dispensing with the requirements of section 1181 as to either or both of the parties, including the laboratory statement, or, if the statement or statements provided for by such section have been filed, extending the 30-day period following the examination and test and extending the 60-day period of validity of any certificate to not later than a day specified, which shall be not more than 90 days after the examination and test. Payment of a \$12 application fee shall be made at the time application for such a waiver is made.

Sec. 5. R. S., T. 22, § 1184, repealed. Section 1184 of Title 22 of the Revised Statutes is repealed.

Sec. 6. R. S., T. 22, § 1232, amended. Section 1232 of Title 22 of the Revised Statutes is amended by adding at the end a new sentence to read as follows:

Whenever such laboratory performs a test for syphilis which reveals the possibility of syphilitic infection, it shall report this finding and the name, address, age and sex of the person from whom the specimen was taken to the department.