

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 506

S. P. 313

In Senate, February 9, 1949.

Referred to Committee on Public Health, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Hopkins of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Tuberculosis Control.

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

Sec. 1. R. S., c. 22, § 85-A, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered 85-A, to read as follows:

‘Sec. 85-A. Control of tuberculosis. The department of health and welfare is empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease. Whenever said department has cause to believe that any person is infected with tuberculosis so as to expose others to the dangers thereof, said department by its representative shall petition a justice of the superior court in the county where said person resides or is found, setting forth said facts and requesting an examination of such person. Said justice, in term or vacation, may order such notice thereon as he may deem proper for such person to appear and answer thereto. Upon hearing, if said justice finds cause to believe that such person is so infected, he may issue an order requiring said person to be examined by a board of 3 physicians licensed to practice in this state at the expense of said department. Said board shall be comprised of the superintendent of one of the state sanatoriums, a physician chosen by the person suspected of having tuberculosis and the third appointed by the

justice. The board shall make a report to the justice within the time designated by him. Upon receipt of said report the court may issue such order as the circumstances of the case warrant.

Either party may appeal the finding or the order to the next term of the supreme judicial court.

The court may use all necessary legal processes to carry its decrees into effect.'

Sec. 2. R. S., c. 23, § 167, amended. Section 167 of chapter 23 of the revised statutes, as amended by section 3 of chapter 297 of the public laws of 1945, is hereby further amended by adding at the end thereof a new paragraph to read as follows:

'The provisions of this section shall not apply to persons who may be committed under the provisions of sections 85-A of chapter 22.'