

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1211

S. P. 428

In Senate, March 12, 1957.

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Lord of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Commitment of Persons With Contagious Tuberculosis.

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

R. S., c. 25, § 98, repealed and replaced. Section 98 of chapter 25 of the Revised Statutes is hereby repealed and the following enacted in place thereof :

‘Sec. 98. Tuberculous persons to exercise care; duty of local health officer. When it comes to the attention of the local health officer of any municipality that any person is afflicted with tuberculosis in an infectious or contagious form, and is unable or unwilling to conduct himself and to live in such manner as not to expose to danger of infection members of his family or household or other persons with whom he is associated, the local health officer shall forthwith investigate the circumstances alleged. If such local health officer finds that any such person is a menace to others, such health officer shall file a petition against such person with the Justice of the Superior Court in the county where said person resides or is found and on such petition such person shall be brought before such Court. The Justice of such Court, after due notice and hearing, if satisfied that such petition is well founded and that the person is a source of danger to others, may commit him to a state tuberculosis sanatorium or other proper place there to be received and kept until the Superintendent or medical officer in charge of such sanatorium or hospital determines that such person, if released, will not be a source of danger to others. The Justice, in his order committing a person to a sanatorium, may direct the sheriff to take such person into his custody and deliver him forthwith to the place so designated. Any person committed to any place or institution under the provisions of this section shall have the right to appeal to any Court having jurisdiction for review of the evidence for which commitment was made.

Any person committed to a state tuberculosis sanatorium or hospital under provisions of this section who leaves before the termination of the period of commitment may be apprehended by an officer authorized to serve criminal process, and the written request of the Superintendent or medical officer of such sanatorium or hospital shall be sufficient warrant for such apprehension.'