

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

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words 'a company'; so that said section as amended, shall read as follows:

Administra-
tion and
instruction.

'Section 6. The system of administration and instruction of the naval reserves shall conform, as nearly as possible, to that of the navy of the United States. Duty shall be performed afloat when possible. When not otherwise provided for, the government of the naval reserve shall be according to the laws and regulations now or hereafter governing the national guard of the state. Two divisions of the naval reserve shall be considered the equivalent of a company of infantry.'

Chapter 46,
public laws
of 1899,
further
amended.
Election
of officers.

Section 6. Said act is hereby further amended by adding the following section thereto:

'Section 9. When the commissions now issued are vacated the lieutenant commanding the ship's company shall be elected by the division commanders. The election of the division commanders shall be as prescribed for the election of company officers.'

Approved March 17, 1903.

Chapter 98.

An Act to regulate the practice of Embalming and the transportation of the bodies of persons who have died of infectious diseases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Rules and
regulations
to be made
uniform.

Section 1. For the preservation of the public health the state board of health is empowered to make such rules and regulations as it may deem necessary, relating to the transportation of the remains of persons who have died of infectious diseases, said rules and regulations so far as may be deemed practicable and safe, to be uniform with those which are now in effect, or which may be in effect in the other North American states and provinces.

Alteration
and amend-
ment of rules.

Section 2. The state board of health is also authorized to make, alter or amend rules and regulations governing the preparation and transportation by rail or otherwise of all bodies dead of an infectious, contagious, or other disease.

Registration
of under-
takers and
embalmers.

Section 3. Every person who shall on the approval of this act, be engaged in the business of undertaking and practice of embalming human bodies in this state and shall desire to continue in that business, must, before the first day of September, nineteen hundred three, register his name, age, length of time in the business, and place of residence, with the state board of examiners, and shall receive a certificate certifying that he is a registered undertaker and embalmer, under which he shall have all the privileges of a licensed embalmer.

Section 4. Any person wishing to become an undertaker, an embalmer of dead human bodies, or engage in the business of caring for and preparing dead human bodies for burial, transportation or cremation, as a regular and permanent business or profession, shall have an intelligent comprehension of the art of embalming, and of such rudiments of anatomy, and of the characteristics of, and the dangers from the contagious and infectious diseases, and of the actions and uses of disinfectant agencies, as the state board of health may prescribe as necessary for the protection of the living, before he is permitted to practice said business or profession within this state, and shall also be required to pass an examination before a board of examiners created and empowered by this act.

Qualifications.

—shall pass an examination.

Section 5. After the examination has been completed the state board of examiners shall judge of the qualification of the applicant, and, if satisfactory, the certificate of a licensed embalmer shall be issued to him, under which he shall have legal authority to prepare bodies dead of infectious or contagious disease for transportation, and to do any work coming within the province of his vocation.

License may be issued by examiners.

Section 6. The state board of examiners has authority under the law to revoke, for cause, any license it may issue, and the failure to comply with the law and the regulations of the state board of health shall be deemed sufficient provocation for the revocation of a license.

Revocation of licenses.

Section 7. Examinations for licenses shall be given by the state board of examiners at least twice annually, at such time and place as they may determine. The examination papers shall contain such questions relating to the subject of embalming as the state board of examiners may deem necessary to determine the qualifications of the applicant for the business, and if found qualified, a certificate, as provided for in section five of this act, shall be granted him.

Time and place of examinations.

Section 8. The board of examiners shall consist of four members made up as follows: Two members of the state board of health, one of whom shall be the secretary of the state board of health, and who shall be the clerk of the board, and two practical undertakers and embalmers. The board of examiners shall be appointed by the governor by and with the advice and consent of the executive council, and the three appointive members shall hold office for one, two and three years respectively, and until others are appointed to fill their places. At the expiration of the first term of office of each member, future appointments shall be made for three years. In case of a vacancy due to death, resignation or other cause, the vacancy shall be filled by an

Examiners, membership of board of.

—how appointed.

—tenure.

—vacancies, how filled.

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appointment for the unexpired term, as is provided for original appointments.

Records of examinations shall be kept.

Section 9. The state board of health may adopt such blanks and forms of procedure as it may deem necessary and best to carry out the provisions of this act, and it shall keep on file a list of all registered and licensed embalmers and a record of examinations, together with the examination papers, all of which shall be open to public inspection.

Restrictions.

Section 10. No person shall inject into any cavity or artery of the body of any person who has died from an accidental or sudden death or under suspicious circumstances, any fluid or substance until a legal certificate of the cause of death from the attending physician has been obtained, nor until a legal investigation has determined the cause of death. If a criminal cause of death is alleged or suspected, no fluid or other substance shall be injected into a body until the cause of death is legally established.

Board shall keep records of licenses issued and of moneys.

Section 11. The board shall keep a record, containing the names and residences of all persons registered hereunder, and a record of all moneys received and disbursed by said board, and said records, or duplicates thereof, shall always be open to inspection in the office of the secretary of the state board of health during regular office hours. Said board shall annually report to the state board of health, on or before the first day of January in each year; the report to contain a full and complete account of all its official acts during the year, together with a statement of the receipts and disbursements of the board and such comments as may be deemed proper.

—shall report to board of health.

Fees.

Section 12. The fee for registration under this act shall be one dollar, and for examination five dollars. The money thus received by the board of examiners shall constitute a permanent fund for carrying out the work provided in this act. From the money thus received the expenses for printing, for stationery, for postage, for other expenses necessarily incurred under the provisions of this act, and for full compensation of the members of the board of examiners, shall be paid. The board of examiners shall be entitled to five dollars each per day and expenses during session. The clerk of the examining board shall be paid one hundred dollars for the first year of his services, and thereafter he shall receive the same compensation as the other members of the board; any balance shall be turned into the treasury of the board of examiners. The clerk of the examining board shall act as treasurer of the board, and shall deposit or otherwise care for any money which may be in the treasury as he may be instructed by vote of the board of examiners.

—disposition of fees.

—compensation of board of examiners.

—of clerk.

—clerk shall act as treasurer.

Section 13. Any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

Section 14. All acts and parts of acts inconsistent with this act, are hereby repealed, and this act shall take effect when approved.

Inconsistent acts, repealed.

Approved March 17, 1903.

Chapter 99.

An Act providing for a license for non-residents to hunt Moose and Deer.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. It shall be unlawful for any person not a bona fide resident of the state, and actually domiciled therein, to hunt, pursue, take, or kill any bull moose or deer at any time without having first procured a license therefor as hereinafter provided. Such licenses shall be issued by the commissioners of inland fisheries and game, upon application in writing and the payment of fifteen dollars, and under such rules and regulations to be established by them, and approved by the governor and council, as may be required to carry out the true intent of this act and not inconsistent herewith.

Non-resident hunter's license.

—licenses, how issued.

—fee for.

All money received for such licenses shall be forthwith paid to the state treasurer, and then expended by the commissioners in the protection of moose and deer, under the direction of the governor and council.

—license money shall be paid to state treasurer.

Provided, however, that the commissioners of inland fisheries and game shall have authority to adjust and pay, out of the funds received for such licenses, for actual damage done growing crops by deer.

—proviso.

Provided, further, that the governor and council shall have authority to allow the commissioners of inland fisheries and game, out of the funds received for licenses and fines, such compensation as they may deem just and fair for the additional work required of them in carrying out the provisions of this act.

—proviso.

Provided, also, that the governor's council shall, as often as they see fit, examine the books, accounts and vouchers of the commissioners of all moneys received by them for all licenses or other fees and make a report thereon to the governor.

—proviso.

Section 2. Each license shall be provided with three coupons, one of which shall permit the transportation of the carcass of

Coupons.