

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

[supplied from page 1 of volume]

camping, fishing or hunting from May 1st to November 1st, without being in charge of a registered guide, except, at public camp sites maintained by the forestry department. No guide shall at the same time guide or be employed by more than 5 non-residents in hunting.'

Approved March 14, 1933.

Chapter 77.

AN ACT Relating to Sterilization in Certain Cases.

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

R. S., c. 155, § 57, amended. Section 57. of chapter 155 of the revised statutes is hereby amended to read as follows:

'Sec. 57. Sterilization may be performed to prevent reproduction of feeble-mindedness or in treatment of mental disease; consent necessary; procedure prior to operation. The operations of vasectomy and fallocotomy may be performed under the conditions and within the restrictions herein described, and under such provisions shall be lawful.

When either of the recognized sterilizing operations herein referred to may be indicated for the prevention of the reproduction of further feeble-mindedness, or for the therapeutic treatment of certain forms of mental disease, physicians ~~having the custody of such cases~~ may recommend to the nearest relative, guardian, and affected individual the advisability and necessity of such operation; and when the written consent of the patient, when mentally competent to give such consent, or the written consent of the nearest relative or guardian when the patient is mentally incompetent to give such consent, is given, the physician ~~having the custody aforesaid of said case~~ shall call a counsel of 2 registered medical practitioners—1 a physician and 1 a surgeon—of not less than 5 years' practice and not related to the patient, whose duty it shall be in conjunction with the physician in charge of the case, to examine the individual recommended for operation. Whether the person to be operated upon is mentally capable of giving his consent shall be decided by the consultants and stated in writing, with their reasons therefor, and such written statement shall be kept on file at the Pownal state school and in case they find that the patient is mentally incapable of giving his consent, the consent of the nearest relative or guardian must be secured. If in the judgment of the consulting physicians the operation will prevent the further propagation of mental deficiency, or if in the judgment of the medical consultants the physical or mental condition of any such person will be substantially benefited thereby, then the consultants shall select a competent surgeon to

CHAP. 79

perform the operation of fallocotomy or vasectomy, as the case may be, upon such person, and such surgeon may be the consulting surgeon.'

Revisor's note: This chapter replaces P. L. 1933, c. 1, § 455.

Approved March 14, 1933.

Chapter 78.

AN ACT Relative to Night Hunting.

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

R. S., c. 38, § 45, amended. Section 45 of chapter 38 of the revised statutes is hereby amended to read as follows:

'Sec. 45. Night hunting prohibited; exception. There shall be a closed season on wild birds in this state from sunset to half an hour before sunrise of the following morning, and on wild animals from one-half hour after sunset until one-half hour before sunrise of the following morning, during which closed season it shall be unlawful to hunt, kill or destroy any wild bird or wild animal of any kind, except skunks and raccoons, as provided in section 72. No person shall have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section.'

Approved March 14, 1933.

Chapter 79.

AN ACT Relative to the Revocation of Licenses After Violation of the Fish and Game Laws.

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

R. S., c. 38, § 43, amended. Section 43 of chapter 38 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 43. Commissioner may revoke or refuse to issue licenses after violation of fish and game laws. Upon the conviction of any person holding a license issued by virtue of this chapter of any violation of the fish and game laws, said license may be revoked by the commissioner at his discretion, and no new license shall be issued for a period of 1 year thereafter to such person. For any 2nd or subsequent offense the commissioner may revoke said license for a period not to exceed 2 years. Any person whose license has been revoked, shall within 48 hours after notice thereof, return said license to the commissioner of inland fisheries and game. The