

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 358

AN ACT Relating to Infectious and Communicable Diseases.

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

P. L., 1933, c. 1, §§ 37, 38, 39 amended, and § 39-A added thereto. Sections 37, 38 and 39 of chapter 1 of the public laws of 1933, as amended, are hereby repealed and the following sections enacted in place thereof, and section 39-A added thereto:

'Sec. 37. Definition; duties of physicians and officers of institutions; reports of state bureau of health. Syphilis, gonorrhoea, chancroid, and lymphogranuloma venereum are hereby declared to be infectious and communicable diseases, dangerous to the public health.

Every physician in the state, within 48 hours of the time the fact comes to the knowledge of said physician, shall report in writing to the state bureau of health, any person known by said physician to have any of the above diseases, and shall keep a record of such cases by number, and name and address. Such report shall be made on a form furnished and numbered by the state bureau of health, which shall state only the age, sex, and color of the person infected. In case such person having any of the above named diseases fails to observe the necessary precautions indicated in the treatment thereof, or in cases where financial obligations for treatment are incurred by the state bureau of health, the name and address of such person shall be submitted at once to the state bureau of health.

All information and reports concerning persons suffering with venereal diseases shall be made on forms furnished and numbered by the state bureau of health, shall be held confidential, and shall not be available to any person not an agent of the said bureau, or for any other than a public health purpose.

The chief officer having charge for the time being of any hospital, asylum, dispensary, jail, sanatorium, or other similar private or public institution in the state, shall report in like manner any cases of the above named diseases which come into his care or under his observation.'

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'Sec. 38. State bureau of health may require examination; limitation. The state bureau of health is hereby empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease. Whenever said bureau has cause to believe that any person is infected with any of the above diseases so as to expose others to the dangers thereof, said bureau by its representative shall petition a judge of the municipal court or 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 judge or justice may order such notice thereon as he may deem proper for such person to appear and answer thereto. Upon hearing, if said court finds cause to believe that such person is so infected, he may issue an order requiring said person to be examined by a licensed physician, at the expense of the bureau; and use all necessary legal processes to carry its decrees into effect.'

'Sec. 39. Bureau to supervise cure of disease. It shall be the duty of said bureau when the report in section 37 or the examination in section 38 reveals that such person has any of the above diseases and has not consulted a physician or has not taken the necessary treatment to place such person immediately under medical treatment in order to effect a cure. Such treatment shall continue until, in the opinion of the attending physician, the cure of said disease has been effected, or is rendered non-infectious.

Nothing in the provisions of sections 37 to 39, inclusive, shall be construed as denying to any person the right to be examined or treated by a licensed physician of his own choice.'

'Sec. 39-A. Penalty. Any person who violates the provisions of sections 37, 38 and 39 shall be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 9, 1943

Chapter 359

AN ACT Relating to the Policing of State Parks, and Acceptance of Gifts for Improvement of State Parks.

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

Sec. 1. P. L., 1935, c. 144, § 2, amended. Section 2 of chapter 144 of the public laws of 1935 is hereby amended by adding after the paragraph designated (c) the following paragraph: