

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninety-first and Ninety-second  
Legislatures  
OF THE  
STATE OF MAINE

From April 10, 1943 to April 21, 1945  
AND MISCELLANEOUS STATE PAPERS  
From April 10, 1943 to May 24, 1945

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1945

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Ninety-second Legislature

**1945**

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## Chapter 319

### AN ACT Relating to the Salary of the Register of Probate of Kennebec County and Clerk Hire in Such Office.

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

Sec. 1. R. S., c. 79, § 269, amended. That part of section 269 of chapter 79 of the revised statutes relating to clerks in the office of register of probate in Kennebec county, is hereby amended to read as follows:

'for clerks in the office of register of probate, ~~\$2,100~~ \$2,600 and ~~said sum~~ shall cover the cost of indexing all documents, papers, and records of his office; such additional amount as may be authorized by the county commissioners;'

Sec. 2. R. S., c. 140, § 22, amended. That part of the 2nd paragraph of section 22 of chapter 140 of the revised statutes, relating to the salary of register of probate in Kennebec county, is hereby amended to read as follows:

'Kennebec, ~~\$1,800~~ \$2,200,'

Effective July 21, 1945

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## Chapter 320

### AN ACT Relating to Vital Statistics.

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

Sec. 1. R. S., c. 22, § 366, sub-§ I, amended. Subsection 1 of section 366 of chapter 22 of the revised statutes is hereby amended by adding at the end thereof the following:

'In the case of a birth of an illegitimate child, the name of the putative father shall not be entered on the certificate of birth except by his consent. In the case of a birth to an unmarried mother, the child's surname shall be recorded as that of the mother. No official in this state shall issue a record of birth disclosing illegitimacy; provided, however, that a record may be issued disclosing such information in response to court process or in response to the request of the illegitimate, his or her legal guardian or legal counsel.'

Sec. 2. R. S., c. 22, § 366, sub-§ III, amended. Subsection III of section 366 of chapter 22 of the revised statutes is hereby amended by adding at the end thereof the following:

'It shall state whether or not the deceased was a war veteran, and if a veteran, of what war.'

Sec. 3. R. S., c. 22, § 366, sub-§§ IV and V, additional. Section 366 of chapter 22 of the revised statutes is hereby amended by adding thereto 2 new subsections to be numbered IV and V, to read as follows:

'IV. All certificates and all records pertaining to birth, marriage and death in the custody of the state registrar of vital statistics and the clerks of the several municipalities of the state are open to inspection subject to the provisions of this chapter, and it shall be unlawful for the state registrar or any employee of the state or any clerk or employee of a municipality to disclose data contained in such vital records except as authorized by this chapter.'

'V. The state registrar may permit the use of data contained in records pertaining to birth, marriage and death for research purposes, but no record shall be given or shown identifying the persons to whom the records relate, except in records of death.'

Sec. 4. R. S., c. 22, § 388, amended. Section 388 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 388. Clerk's record or certified copy, prima facie evidence. The state registrar and the clerk of a municipality shall not permit inspection of the records of birth, marriage and death, marriage intentions excepted, or issue a certified copy of a certificate relating thereto, or to parts thereof, unless he is satisfied that the applicant therefor has a direct and tangible interest in the matter recorded, the decision of the state registrar or the clerk of a municipality being subject, however, to review by the superior court or any justice thereof in vacation, under the limitations of this chapter. The city and town clerks shall, upon request, supply to any such qualified applicant a certified copy of the record of any birth, marriage, or death registered under the provisions of this chapter, upon the payment of a fee of 50c, to be paid by the applicant in advance. For any search of the files and records, where no certified copy is made, the fee shall be 50c for each hour or fractional part of the hour for time of search, said fee to be paid by the applicant in advance. The city or town clerk's record of any birth, marriage, or death, or a duly certified copy thereof, shall

be prima facie evidence of such birth, marriage, or death, in any judicial proceeding.'

Effective July 21, 1945

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## Chapter 321

### AN ACT Designating Certain Academies as High Schools and Relating to Membership in the Maine Teachers' Retirement System.

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

Sec. 1. R. S., c. 37, § 96, amended. The last sentence of section 96 of chapter 37 of the revised statutes is hereby amended to read as follows:

'When a town has made a contract as provided for in this section, or as provided in the act of incorporation of any such academy and amendments thereto prior to May 1, 1907, the tuition liability of said town shall be the same as if a free high school were maintained in accordance with section 89, and the expenditure of any town for schooling of pupils as provided in this section shall be subject to the same conditions and shall entitle such town to the same state aid as if it had made such expenditure for a free high school.'

Sec. 2. R. S., c. 37, § 183, amended. Section 183 of chapter 37 of the revised statutes is hereby amended by adding thereto a new sentence to read as follows:

'Directors or supervisors of physical education employed in academies with which a town has a contract, as provided by section 96, shall be deemed to be employed by the town for the purposes hereof.'

Sec. 3. R. S., c. 37, § 222, sub-§ I, amended. Subsection I of section 222 of chapter 37 of the revised statutes is hereby amended to read as follows:

I. All teachers who shall serve in the public schools, or in any academy which has contract relations with a town under the provisions of section 96 and which receives at least  $\frac{3}{5}$  of any of its support directly from the state funds for secondary education based on standards satisfactory to the commissioner of education, or in the absence of such support, whose teachers have heretofore contributed to the Maine teachers' retirement associa-