

MAINE STATE LEGISLATURE

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

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

Sec. 4. R. S., c. 69, § 14, amended. The last sentence of section 14 of chapter 69 of the revised statutes is hereby amended to read as follows:

'No certificate shall be suspended or revoked for any of the foregoing causes unless the person accused has been given at least ~~30~~ 10 days' notice in writing of the charge against him and afforded a public hearing before the board.'

Sec. 5. R. S., c. 69, § 15, amended. The last paragraph of section 15 of chapter 69 of the revised statutes is hereby amended to read as follows:

'No person who shall receive a certificate of registration or license to practice optometry in this state shall assign, lease, sublet, give or grant unto any person, copartnership, firm or corporation the right or privilege to practice optometry directly or indirectly under said registration, and no registered optometrist, under this chapter, shall associate himself in any way with any person, not a registered optometrist nor any copartnership, firm or corporation for the promotion of any commercial practice for profit or division of profit, which enables any such person, copartnership, firm or corporation to engage, either directly or indirectly, engage in the practice of optometry in this state, and any ~~registered~~ optometrist, registered under the provisions of this chapter, guilty of such conduct or of violation of the provisions of this section, or of wilfully violating any of the rules and regulations of the board, promulgated as provided in this chapter, shall be punished by having his certificate and registration to practice optometry in this state suspended or revoked; provided that no certificate or registration shall be suspended or revoked for any of the foregoing causes unless the person accused has been given at least 10 days' notice, in writing, of the charge against him, and afforded a public hearing before the board.'

Effective August 13, 1947

Chapter 334

AN ACT Relating to Jurisdiction of Municipal Courts in Juvenile Cases.

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

Sec. 1. R. S., c. 133, § 2, amended. The 1st sentence of the 2nd paragraph of section 2 of chapter 133 of the revised statutes is hereby amended to read as follows:

'Judges of municipal courts within their respective jurisdictions shall have exclusive original jurisdiction over all offenses, except for a capital, or otherwise infamous crime the punishment for which may be imprison-

ment for life or for any term of years, committed by children under the age of 17 years, and when so exercising said jurisdiction shall be known as juvenile courts.'

Sec. 2. R. S., c. 133, § 6, amended. Section 6 of chapter 133 of the revised statutes, as amended by chapter 63 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 6. Powers of the court in juvenile cases. A municipal court may place children under the age of 17 years under the supervision, care and control of a probation officer or an agent of the department of health and welfare or may order the child to be placed in a suitable family home subject to the supervision of a probation officer or the department of health and welfare or may commit such child to the department of health and welfare or make such other disposition as may seem best for the interests of the child and for the protection of the community including holding such child for the grand jury or commitment of such child to the Pownal State School upon certification of 2 physicians who are graduates of some legally organized medical college and have practiced 3 years in this state, that such child is mentally defective and that his or her mental age is not greater than $\frac{3}{4}$ of subject's life age nor under 3 years, or to the state school for boys or state school for girls; but no boy shall be committed to the state school for boys who is under the age of ~~++~~ 9 years and no girl shall be committed to the state school for girls who is under the age of 9 years, and no municipal court shall sentence a child under the age of 17 years to jail, reformatory or prison; any child or his next friend or guardian may appeal to the superior court in the same county in the same manner as in criminal appeals, and the court may accept the personal recognizance of such child, next friend or guardian, and said superior court may either affirm such sentence or order of commitment or make such other disposition of the case as may be for the best interests of such child and for the peace and welfare of the community.

Where, however, an appeal is taken and the offense is one that must be prosecuted by indictment, the county attorney shall submit the evidence relating to such crime to the grand jury convening at the criminal term at which the appeal is to be heard, and if the grand jury return an indictment for such offense the accused may, in the discretion of the court, be tried on such indictment, or the court may order it placed on file, or make such other disposition thereof as it may determine, including the dismissal thereof, and proceed to hear the appeal, and either affirm such sentence or order of commitment, or make other disposition of the case in accordance with the provisions relating to appeal hereinbefore provided.'