

MAINE STATE LEGISLATURE

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FIFTY-SIXTH LEGISLATURE.

HOUSE.

No. 100

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN.

AN ACT to establish a State Board of Health.

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

SECTION 1. The governor, with the advice and consent of the council, shall appoint seven persons who shall constitute the State Board of Health. The persons so appointed shall hold their offices for seven years ; *provided*, that the terms of office of the seven first appointed shall be so arranged that the term of one shall expire each year, and the vacancies so created, and all vacancies arising from any other cause, shall be filled by the governor, with the advice and consent of the council ; but any one may be re-appointed.

SECT. 2. The board shall take cognizance of all matters pertaining to the health and lives of the citi-

3 zens of this state. They shall, so far as in their judg-
4 ment is practicable and necessary, make investigations
5 in respect to the causes of disease and the sources of
6 mortality, and all the conditions affecting the public
7 health; the cause of epidemics, and the best means
8 of preventing them; the construction and means of
9 warming and ventilation of school houses and other
10 public buildings; the sanitary condition of the opera-
11 tives in mills, factories, and other manufactories within
12 this state, and the means adopted in them for the
13 preservation of life in case of fire or other accident;
14 and they shall gather such information as they may
15 deem proper for diffusion among the people. They
16 shall, when requested, advise with the government in
17 regard to the location of any public institution and
18 give information of the defects injurious to health ex-
19 isting in public buildings already erected. They shall
20 in the month of January make report to the legislature
21 of their doings and investigations during the year
22 preceding, with such suggestions as to legislative
23 action as they may deem necessary.

SECT. 3. The board shall have authority to investi-
2 gate the matters above specified, and especially those
3 provided for in chapter seventeen, of the revised stat-
4 utes of Maine. In all such matters, upon the written
5 application of any three or more citizens of this state,

6 addressed to the board, briefly setting out the grounds
7 of their complaint and requesting an investigation of
8 the same, it shall be the duty of the president of the
9 board to refer the same to a committee of three of the
10 members of the board who shall give notice to the
11 parties interested, of the time and place of the hearing
12 upon said application, by causing copies of said notice,
13 attested by the secretary of the board, to be posted up
14 in two public and conspicuous places in the vicinity of
15 the place to be examined, at least twenty-four hours
16 before the time of said hearing, and the president of
17 the board may order such other notice as he may deem
18 necessary to be given to the parties interested therein.
19 The committee shall meet at the time and place speci-
20 fied in the notice, to examine into the matter referred
21 to them ; and hear the parties and their witnesses
22 touching the same, and shall make and place upon the
23 files of the board a report signed by said committee
24 or a majority thereof, containing their findings of the
25 facts in the case and their recommendations touching
26 the same ; which report shall be open to the inspection
27 of all parties interested therein.

SECT. 4. The supreme judicial court shall have full
2 equity jurisdiction of all matters embraced in this act,
3 any justice thereof in term time or in vacation, may,
4 upon complaint signed by any one or more of the

5 signers of the original application to the board of
6 health, or other person interested, after notice and
7 hearing thereon, modify or confirm the recommenda-
8 tions of said committee of the board of health and
9 make such additions thereto as the circumstances of
10 the case may require, and may cause such recommend-
11 ations as finally adopted by said justice to be carried
12 into effect and performed by the party or parties
13 against whom complaint is made, and in such manner
14 as said justice shall decide to be just and reasonable ;
15 said justice shall have power to make all orders and
16 decrees and issue all writs of injunction necessary to
17 carry into effect the provisions of this act. In the
18 hearing of such complaint the report of said committee
19 shall be taken as prima facie evidence of the facts
20 therein recited. Appeal may be taken to the full court
21 from the final decrees of such justice.

SECT. 5. The board shall meet at the state house
2 once in six months, and as much oftener as they shall
3 deem expedient. No member except the secretary
4 shall receive any compensation ; but the actual per-
5 sonal expenses of any member while engaged in the
6 duties of the board shall be allowed and paid.

SECT. 6. The board shall elect a president and a
2 secretary from their own number, and the latter shall
3 be their executive officer. The secretary shall perform

4 and superintend the work prescribed by this law, and
5 such other duties as the board may require. He shall
6 receive from the treasury, in quarterly payments, an
7 annual salary of twelve hundred dollars, and his neces-
8 sary traveling expenses incurred in the performance
9 of his official duties, not exceeding the sum of five
10 hundred dollars per year, after they have been audited
11 by the board, and approved by the governor and coun-
12 cil, and all necessary expenses arising in his office,
13 shall be paid out of the treasury, in the same manner
14 as those of the different departments of the govern-
15 ment.

SECT. 7. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 31, 1877. }

Reported from the minority of the Committee on the Judiciary by Mr. HAYNES of
Augusta, and on his motion ordered printed.

ORAMANDAL SMITH, *Clerk.*