

MAINE STATE LEGISLATURE

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NEW DRAFT

SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 241

In Senate, Feb. 27, 1917.

*Tabled for printing pending recommitment to Committee for
Judiciary.*

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to provide for the establishment of district almshouses
or infirmaries and to repeal Sections 15, 16 and 17 of Chapter
29, Revised Statutes.

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

Section 1. As hereinafter provided, there shall be estab-
2 lished and maintained within and for each of the districts
3 specified, an institution to be known as an "infirmary" for
4 the care of the aged or otherwise infirm and indigent persons
5 entitled to relief under the provisions of Chapter 29 of the
6 Revised Statutes (except children under sixteen years of

7 age) whose condition is such that they require more than
8 temporary care or partial support.

Sect. 2. For the maintenance of the infirmaries described
2 in Section 1 of this act, districts are hereby created com-
3 posed of all cities, towns and plantations of less than ten
4 thousand population as determined by the United States
5 census of nineteen hundred and ten, situated within the follow-
6 ing specified areas and of such other cities and towns within
7 such areas as shall become a part of any such district in the
8 manner hereinafter provided, namely: Androscoggin District,
9 Androscoggin County; Aroostook Northern District, North-
10 ern Registry District of Aroostook County as specified in
11 Section 7, Chapter 12, Revised Statutes; Aroostook South-
12 ern District, Southern Registry District of Aroostook
13 County; Cumberland District, Cumberland County; Frank-
14 lin District, Franklin County; Hancock District, Hancock
15 County; Kennebec District, Kennebec County; Knox Dis-
16 trict, Knox County; Lincoln District, Lincoln County; Ox-
17 ford Western District, Western Registry District of Oxford
18 County as specified in Section 6, Chapter 12, Revised Stat-
19 utes; Oxford Eastern District, Eastern Registry District of
20 Oxford County; Penobscot District, Penobscot County; Pis-
21 cataquis District, Piscataquis County; Sagadahoc District,
22 Sagadahoc County; Somerset District, Somerset County;
23 Waldo District, Waldo County; Washington District, Wash-
24 ington County; York District, York County.

Sect. 3. The provisions of this act relative to the organ-

2 ization of each of the several districts shall become effective
3 as provided in section 8, and other provisions of the act shall
4 become effective upon the first day of April, following. Any
5 city, or town not made a part of any district by the terms of
6 section 2 of this act may accept the provisions of the act in
7 the case of towns by vote at an annual town meeting and in
8 the case of cities by vote of the city government, and the city
9 or town clerk shall forthwith cause a certified statement of
10 such vote of acceptance to be filed with the board of trustees
11 of the infirmity district within the area of which said city
12 or town is situated. The provisions of this act shall become
13 effective as regards any such city or town, on the first day of
14 April following the date when the conditions of sections 3
15 and 4 of this act shall have been complied with.

Sect. 4. Any city or town which may vote to accept the
2 provisions of this act after the district within the area of
3 which said city or town is located is organized, shall pay to
4 the board of trustees of such infirmity district for use of
5 such district such part of the original cost to the district of
6 any land and buildings owned and used by said district as an
7 infirmity as may be agreed upon between said board of trus-
8 tees and the municipal officers of said city or town.

Sect. 5. The management of each of the several infirm-
2 aries shall be vested in a board of trustees which shall be
3 composed of the chairman of the board of overseers of the
4 poor, ex-officio, of the cities, towns and plantations compris-
5 ing the district, provided that any city or town of more than

6 three thousand population as determined by the last United
7 States Census shall be entitled to one additional member of
8 the board of trustees for each additional three thousand of
9 population or major fraction thereof to be selected in such
10 manner as said city or town may determine.

Sect. 6. Said boards of trustees shall have authority to es-
2 tablish the infirmaries provided for in sections 1 and 2 of this
3 act, either by building, lease or purchase, as may seem to
4 them expedient and in accordance with funds made available
5 therefor as hereinafter provided. Where lease or purchase
6 is made the boards of trustees shall have the right insofar as
7 funds are available to enlarge or otherwise adapt to the needs
8 of the situation and such additions or improvements shall be
9 considered permanent.

Sect. 7. Said boards of trustees shall have the general
2 superintendence, management and control of the infirmaries
3 in their respective districts, of the grounds and buildings,
4 officers and employees thereof, of the inmates therein and all
5 matters relating to the government, discipline, contracts and
6 fiscal concerns thereof, shall determine, subject to the pro-
7 visions of the law, who shall be admitted to said institution,
8 and shall make such rules and regulations not inconsistent
9 with law as may seem to them necessary for carrying out the
10 purposes of said institution or any of the provisions of this
11 act which they are required to execute.

Sect. 8. Each of said boards of trustees shall elect from
2 its own members a chairman who shall hold office for such

3 length of time as such board may determine. Pending such
4 election the chairman of the board of overseers of the poor of
5 the oldest city or town composing the district shall serve as
6 chairman. Each board shall appoint a superintendent of its
7 infirmary not one of its members who shall be ex-officio clerk
8 of the board, and shall hold office during its pleasure and who
9 shall be chosen wholly because of his experience, character,
10 ability and fitness for the position. Each board shall fix the
11 compensation of its superintendent and of all other officers
12 and employees. Members of the board of trustees shall not
13 be eligible for appointment as superintendent during the term
14 for which they were elected. Each of said boards shall meet
15 annually in February at such time and place as it may deter-
16 mine and at such other times as it may deem necessary and
17 shall have authority by appropriate committees or orders to
18 its superintendent to provide for carrying on the business of
19 the district or infirmary when the board is not in session,
20 provided that the first meeting shall be called by the chairman
21 of the overseers of the poor of the oldest city or town in the
22 district, not later than February tenth, nineteen hundred
23 eighteen, notice in writing to be mailed or delivered to each
24 member of the board not less than seven days before the
25 date fixed for the meeting.

Sect. 9. The superintendent of each infirmary shall, sub-
2 ject to the direction of the board of trustees,

1st. Have the general supervision and control of the
2 grounds and buildings of the infirmary, the subordinate offi-

cers and employees, and the inmates thereof, and all matters relating to their government and discipline.

2nd. Make such rules, regulations and orders, not inconsistent with law, or the rules, regulations and directions of the board of trustees as may seem to him proper or necessary for the government of the infirmary and its officers and employees, and for the care, employment, and discipline of the inmates thereof.

3rd. Act as the agent of the board in determining who shall be admitted and discharged from the institution and in the preparation of its reports.

4th. Shall be its financial and purchasing officer, shall give bond to the board of trustees for such sum as they shall determine and subject to their approval, the cost of the same to be paid by the infirmary or district, for the faithful performance of his duties, shall receive all money or property due the infirmary or district and safely keep and account for the same, and shall pay all expenses incurred for or in behalf of the infirmary or district by the board of trustees, or by himself acting under their direction.

5th. Shall have the power to appoint and remove all subordinate officers and employees of the board or of the infirmary under its control.

6th. Exercise such other powers and perform such other duties as the board may prescribe.

Sect. 10. Any person who is entitled to care in one of the infirmaries created by this act may be admitted and shall then

3 be removed thereto by the board of trustees or superintendent
4 upon application of the overseers of the poor of any city or
5 town in the state.

Sect. 11. Said boards of trustees shall annually, on or be-
2 fore the first day of March, prepare an estimate in detail of
3 the amounts required (a) for any land, new buildings or ad-
4 ditions thereto, (b) for all materials and supplies required
5 for upkeep of grounds, buildings and attached fixtures and
6 for all additions to and repairs and replacements of furni-
7 ture and equipment including farming equipment and live-
8 stock and all personal services rendered wholly in connection
9 with repair work, and, (c) for all other supplies and expenses
10 incident to the maintenance of the institution and the inmates
11 thereof, whether present or absent, for their respective insti-
12 tutions for the fiscal year beginning on April first next and
13 shall, according to the last state valuation, apportion the same
14 less any unexpended balances of preceding years among the
15 several cities, towns and plantations composing the districts,
16 to be assessed, collected and paid over to the several munic-
17 ipal treasurers in the same manner as are other municipal
18 taxes, and by said treasurers paid to the financial officer of
19 the infirmary. A certified copy of the vote of the said trustees
20 making the apportionment, filed with the city, town or plan-
21 tation clerk of each city, town or plantation, composing the
22 district, shall be sufficient authority for the assessors of said
23 city, town or plantation to make the required assessment.

Sect. 12. Should any city, town or plantation fail to pay its

2 duly apportioned part of the estimated cost of maintaining
3 the infirmary in its district on or before the thirtieth day of
4 September of any year, the board of trustees of the district
5 may recover the same in an action of debt in the name of the
6 district.

Sect. 13. The board of trustees of each infirmary shall en-
2 deavor to provide suitable employment, adapted to their
3 strength, for the inmates of the infirmary under their charge
4 who are able to labor and shall have authority to require that
5 all such persons shall apply themselves with reasonable dili-
6 gence at the tasks to which they are set.

Sect. 14. The members of the several boards of trustees
2 herein created shall serve without compensation from the
3 district but shall be entitled to reimbursement for their rea-
4 sonable travelling and other expenses which shall be paid out
5 of any money assessed or received for the maintenance of the
6 infirmary under their charge.

Sect. 15. No member of any board of infirmary trustees
2 during the term for which he was elected and no officer, em-
3 ployee or any agent thereof, shall be directly or indirectly
4 interested in any contract for the purchase of land for or the
5 building or repairing of any district infirmary or for furnish-
6 ing supplies or material for the same.

Sect. 16. Any official or person who shall wilfully fail,
2 neglect or refuse to perform any of the duties imposed upon
3 him by the provisions of this act shall be fined no more than
4 five hundred dollars or be imprisoned not more than six
5 months.

Sect. 17. Sections 15, 16 and 17 of Chapter 29, Revised
2 Statutes, and all other acts and parts of acts inconsistent
3 herewith are hereby repealed.