

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 54

Referred to Portland Delegation and 1000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE

AN ACT to Co-ordinate the Duties of the Board of Health and Board of Overseers of the Poor and Workhouse in the City of Portland.

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

Section 1. The board of overseers of the poor and work-
2 house of the city of Portland is hereby to be dissolved at
3 twelve o'clock noon on the twelfth day of December, A. D.
4 nineteen hundred and twenty-one.

Sect. 2. The board of health of the city of Portland is
2 hereby to be dissolved at twelve o'clock noon on the twelfth
3 day of December, A. D. nineteen hundred and twenty-one.

Sect. 3. All duties prescribed or acts permitted by the
2 laws of the state of Maine, the charter, or the ordinances

3 of the city of Portland to be done by the board of overseers
4 of the poor and workhouse of said city, and all duties pre-
5 scribed or acts permitted by the laws of the state of Maine,
6 the charter, or the ordinances of the city of Portland to be
7 done by the board of health of said city shall from and
8 after twelve o'clock noon on the twelfth day of December,
9 A. D. 1921, be discharged and performed by a board to be
10 known as the department of public welfare.

Sect. 4. Said department of public welfare shall consist
2 of five members, resident of Portland, who shall serve with-
3 out pay, two of whom, at least, shall be women, and they
4 shall be appointed by the mayor of the city of Portland.
5 The term of office of said members shall be for five years
6 except that the first appointments shall be made as follows:

1 One member shall be appointed for a term of one year,
2 a second member shall be appointed for a term of two
3 years, a third for a term of three years, a fourth member
4 for a term of four years, and a fifth member for a term
5 of five years. Said first appointments shall be made by the
6 mayor on the first day of November, A. D. nineteen hun-
7 dred and twenty-one, to begin and become effective from
8 twelve o'clock noon on the twelfth day of December, A. D.
9 nineteen hundred and twenty-one. Any member of said
10 department of public welfare may be removed by the mayor
11 and aldermen for good cause.

Sect. 5. No member of said department of public welfare
2 shall be required to be a practical plumber, but said depart-
3 ment shall continuously employ at least one practical plumber

4 and as many more as may from time to time become neces-
5 sary to serve as inspector or inspectors of plumbing.

Sect. 6. Said members of said department of public wel-
2 fare shall on the second Monday of December, A. D. nine-
3 teen hundred and twenty-one, convene for organization and
4 from their number shall choose a chairman and a secretary.
5 The chairman shall preside at all meetings of the depart-
6 ment. The secretary shall, in a book kept for that purpose,
7 make and keep a record of all proceedings at the meetings
8 and of all transactions, doings, orders, and regulations of
9 the department. Said department shall meet at least once
10 a month, and shall hold its annual meeting on the second
11 Monday in December in each year, at which time it shall
12 elect a chairman and a secretary.

Sect. 7. The members of the department of public wel-
2 fare shall elect an executive secretary by majority vote.
3 He shall not be chosen from their own number. He shall
4 be a well-trained physician, the advisor of the department
5 in matters of public health, and the executive officer of the
6 said department. He shall not, ex-officio, become a mem-
7 ber of said department. All duties prescribed or acts per-
8 mitted by the laws of the state of Maine, the ordinances
9 of the city of Portland, or its charter, to be done by the
10 health officer of the local board of health shall be performed
11 by said executive secretary. He shall also perform such
12 other acts as directed by the department of public welfare,
13 authorized by law, pertaining to the public health or care

14 of institutions for the care of the sick. He shall hold office
15 during the pleasure of the department of public welfare.

Sect. 8. All assistants and employees authorized for the
2 health work of the department of public welfare, including
3 all assisting and employed at the city hospital, shall be ap-
4 pointed by the executive secretary, subject to the approval
5 of a majority of the members of the department of public
6 welfare. They shall serve at the pleasure of the executive
7 secretary.

Sect. 9. The executive secretary subject to the approval
2 of a majority of the members of the department of public
3 welfare shall appoint a secretary for the relief of the poor,
4 and he shall be subject to the authority of the executive
5 secretary by whom he may be removed, not, however, with-
6 out the consent of a majority of the members of the depart-
7 ment of public welfare.

Sect. 10. All subordinates and employees authorized or
2 required by the department of public welfare for the work
3 of extending other than medical or surgical relief to the
4 poor, including those necessary for the conduct of the work-
5 house, city home, the poor farm, or any other institution
6 or place, for other than medical or surgical relief of the
7 poor, within the jurisdiction of the department of public
8 welfare, shall be appointed by the secretary for the relief
9 of the poor, subject to the approval of the department of
10 public welfare. Said assistants and subordinates shall serve
11 at the pleasure of the secretary for the relief of the poor.

Sect. 11. The determination of any question that may
2 arise as to what is health work as distinguished from relief
3 of the poor shall be determined by the department of public
4 welfare.

Sect. 12. Any of said subordinates and employees ap-
2 pointed either by the executive secretary or by the secre-
3 tary for the relief of the poor, who may afterwards be re-
4 moved by either of said officials, shall have the right to
5 petition the department of public welfare for a hearing on
6 the causes of said removal. Said department shall appoint
7 a time and place for a hearing in reference thereto, and give
8 seven days' written notice of the same to the party aggrieved.
9 Said department shall have the power to compel the attend-
10 ance of witnesses. Said department shall have the power
11 by majority vote, to reinstate any said employee or subordi-
12 nate after petition and hearing as aforesaid, but pending
13 removal and hearing on said petition and decision on the
14 same, said employee or subordinate shall be by said removal
15 automatically suspended from his employment.

Sect. 13. The city physician of the city of Portland at
2 the expiration of the term of the present incumbent shall
3 not hereafter be chosen by the city council, but in the man-
4 ner following: On the second Monday of December, A. D.
5 nineteen hundred and twenty-one, or as soon thereafter as
6 may be, the executive secretary shall appoint a city physi-
7 cian subject to the approval of the majority of the mem-
8 bers of the department of public welfare at a meeting of

9 said department. A vacancy thereafter occurring in said
10 office shall be filled in the way. The duties of said city
11 physician shall be those now prescribed by law for the city
12 physician, and they shall be performed under the direction
13 and authority of the executive officer of the department of
14 public welfare. He shall serve at the pleasure of the de-
15 partment of public welfare. The executive secretary sub-
16 ject to the approval of a majority of the members of the
17 department of public welfare shall appoint medical or sur-
18 gical assistants who may, as the need may exist, be physi-
19 cians, surgeons, nurses, or hospital attendants, to provide
20 relief and care for police department cases, for the poor,
21 city hospital service, or in any emergency, requiring medical
22 or surgical attention and care. They shall be subject to the
23 authority of the executive secretary and shall serve at the
24 pleasure of the executive secretary.

Sect. 14. The officers of three consulting physicians for
2 the city of Portland shall cease to exist at the expiration of
3 the terms of the present incumbents.

Sect. 15. All salaries and appropriations for the depart-
2 ment of public welfare shall be fixed and made in the man-
3 ner now provided by law for the board of health of the
4 city of Portland.

Sect. 16. All acts and parts of acts whether or not in-
2 cluded in the charter of the city of Portland, inconsistent
3 herewith, are hereby repealed.