

MAINE STATE LEGISLATURE

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Fifty-Seventh Legislature.

HOUSE.

No. 182.

STATE OF MAINE.

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

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 citizens of this state. They shall, so far as in their judgment is practicable and necessary, make investigations in respect to the causes of disease and the sources of mortality, and all the conditions affecting the public health; the cause of epidemics, and the best means of preventing them; the construction and means of warming and ventilation of school houses and other public buildings; the sanitary condition of the operatives in mills, factories, and other manufactories within this state, and the means adopted in them for the preservation of life in case of fire or other accident; and they shall gather such information as they may deem proper for diffusion among the people. They shall, when requested, advise with the government in regard to the location of any public institution, and give information of the defects injurious to health existing in public buildings already erected. They shall in the month of January, make report to the legislature of their doings and investigations during the year preceding, with such suggestions as to legislative action as they may deem necessary.

SECT. 3. The board shall have authority to investigate 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 hear-
12 ing upon said application, by causing copies of said
13 notice, attested by the secretary of the board, to be
14 posted up in two public and conspicuous places in the
15 vicinity of the place to be examined, at least twenty-
16 four hours before the time of said hearing, and the
17 president of the board may order such other notice as
18 he may deem necessary to be given to the parties in-
19 terested therein. The committee shall meet at the
20 time and place specified in the notice, to examine into
21 the matter referred to them; and hear the parties and
22 their witnesses touching the same, and shall make and
23 place upon the files of the board a report signed by
24 said committee or a majority thereof, containing their
25 findings of the facts in the case and their recommen-
26 dations touching the same; which report shall be open
27 to the inspection 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 sign-
5 ers of the original application to the board of health,
6 or other person interested, after notice and hearing
7 thereon, modify or confirm the recommendations of said
8 committee of the board of health and make such addi-
9 tions thereto as the circumstances of the case may re-
10 quire, and may cause such recommendations as are
11 finally adopted by said justice to be carried into effect
12 and performed by the party or parties against whom
13 complaint is made, and in such manner as said justice
14 shall decide to be just and reasonable; said justice
15 shall have power to make all orders and decrees, and
16 issue all writs of injunction necessary to carry into
17 effect the provisions of this act. In the hearing of
18 such complaint the report of said committee shall be
19 taken as prima facie evidence of the facts therein re-
20 cited. Appeal may be taken to the full court from the
21 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 per-
4 form and superintend the work prescribed by this law,
5 and such other duties as the board may require. He
6 shall receive from the treasury, in quarterly payments,
7 an annual salary of two thousand dollars, and his
8 necessary travelling expenses incurred in the perform-
9 ance of his official duties, after they have been audited
10 by the board, and approved by the governor and coun-
11 cil, and all necessary expenses arising in his office
12 shall be paid out of the treasury, in the same manner
13 as those of the different departments of the govern-
14 ment.

SECT. 7. This act shall effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 15, 1878. }

Reported by the minority of the Committee on Legal Affairs,
by Mr. WEBB of Windham, and pending acceptance of report
bill ordered printed.

ORAMANDAL SMITH, *Clerk.*