

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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SENATE.

No. 119

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## STATE OF MAINE.

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

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AN ACT creating a State Board of Charities and Corrections.

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

Section 1. The Governor, by and with the advice and  
2 consent of the council, shall appoint five persons, at least  
3 one of whom shall be a woman, who shall constitute a  
4 State board of charities and corrections, to serve without  
5 compensation, except their traveling and other necessary  
6 expenses which shall be audited by the State Auditor and  
7 paid by the State Treasurer upon the certificate of the  
8 State Auditor issued therefor, as provided by law. One  
9 of these persons, as selected by the governor upon the first  
10 appointment, shall serve for five years, one for four years,

11 one for three years, one for two years and one for one  
12 year, and upon the expiration of the terms of each, his  
13 successor shall in like manner be appointed for the term  
14 of five years. Any vacancy arising before the expira-  
15 tion of a term of office shall be filled by appointment by  
16 the governor for the residue of the term. The board shall  
17 be non-partisan politically. Regular meetings of the board  
18 shall be held quarterly, or oftener, if required, and a suit-  
19 able room shall be provided in the State House for its use.  
20 The board may elect a president and make such rules and  
21 orders for the regulation of its proceedings as it may deem  
22 necessary.

Sect. 2. The board shall appoint a secretary, who shall  
2 not be chosen from their own number and who shall be  
3 qualified by special knowledge and experience in charitable  
4 and correctional and institutional work, and who shall re-  
5 ceive for his services, in addition to his traveling and other  
6 necessary expenses, such salary as may be agreed upon  
7 by the board, with the advice and consent of the governor  
8 and council. The accounts of such secretary for his travel-  
9 ing and other necessary expenses shall be approved by  
10 the board, audited by the State Auditor and, together with  
11 the salary of such secretary, shall be paid out of the State  
12 treasury upon the certificate of the State Auditor issued  
13 therefor. The sum of \$8000 shall be appropriated an-  
14 nually for the expenses of the board and the salary and

15 expenses of the secretary and of any agent employed by  
16 the board.

Sect. 3. The board shall investigate and inspect the  
2 whole system of public charities and correctional institu-  
3 tions in the State and the work of any department of the  
4 same, examine into the condition and management of all  
5 prisons, jails, reform schools, industrial schools of a chari-  
6 table or correctional nature, children's homes, hospitals,  
7 sanitoriums, almshouses, orphanages, hospitals for the  
8 insane, schools or homes for feeble minded and any and  
9 all other institutions of such nature which derive their  
10 support wholly or in part from State, county or municipal  
11 appropriations, but not including any institution of a  
12 purely educational or industrial nature; and any private  
13 institution of a charitable or correctional nature may upon  
14 application and request in writing made to the secretary  
15 of the board, be included in the list of institutions under  
16 the inspection of said board and become subject to the  
17 provisions of this act. The officers in charge of all insti-  
18 tutions of a charitable or correctional nature under the  
19 inspection of the board, and local boards or committees  
20 having any powers or duties relative to the management  
21 of the same, and those who are in any way responsible for  
22 the administration of public funds used for the relief or  
23 maintenance of the poor, shall furnish to the board or its  
24 secretary such information and statistics as may be de-  
25 manded. The board may prescribe such forms not incon-

26 sistent with those otherwise prescribed by law as it may  
27 deem necessary to secure uniformity and accuracy in the  
28 statements of the several institutions and officials report-  
29 ing. The board in its discretion may at any time make  
30 an investigation of the management of any charitable,  
31 reformatory, penal or other institution made subject to its  
32 supervision by the terms of this act; and when authorized  
33 by the governor and council the board shall in making  
34 such investigation have power to summon witnesses and  
35 demand the production of papers and documents material  
36 as evidence, and to compel the attendance of such wit-  
37 nesses and the production of such papers and documents  
38 by punishment for contempt in case of wilful failure, neg-  
39 lect or refusal to attend on the part of any person sum-  
40 moned as a witness, or to produce such papers or docu-  
41 ments when ordered by the board, and shall have power  
42 to administer oaths and affirmations; and the report of  
43 such investigations, with the testimony and conclusions of  
44 the board thereon, shall be made to the governor and  
45 council and may be submitted by them with their recom-  
46 mendations, to the legislature.

Sect. 4. Each institution under the inspection of the  
2 board shall be visited at least once each year by a member  
3 of the board, or by the secretary of the board or authorized  
4 agent employed by the board for that purpose, and as  
5 much oftener as may be found expedient, and at such  
6 times said visiting member or secretary shall consult with

7 the officers of such institutions and make such recommen-  
8 dations and suggestions as to the management thereof as  
9 may seem advisable, and the board as a whole shall, when-  
10 ever it seems to be necessary, formally recommend to the  
11 trustees or boards of management of any such institution  
12 or of any department of public charities or corrections such  
13 course of action in the conduct of said institution or de-  
14 partment as the board shall deem best. The board shall  
15 also give to the governor, or governor and council, or to  
16 the legislature or any committee thereof, at any time upon  
17 their request, or when the board shall deem it necessary,  
18 information and advice with reference to any charitable or  
19 correctional institutions which the board is required by  
20 this act to inspect or investigate, or as to which it is re-  
21 quired to collect information or statistics, provided, how-  
22 ever, that before any report shall be made by the board to  
23 the governor and council or to the legislature recommend-  
24 ing any change in the policy or management of any insti-  
25 tution reasonable notice thereof shall be given to the trus-  
26 tees or boards of management of the same.

Sect. 5. Any minor child who shall come in any way  
2 under the inspection or supervision of the State board,  
3 when placed in a family, shall be placed in a family of the  
4 same religious faith as that of the parents or surviving  
5 parent of such child, where a suitable family of such faith  
6 can be found willing to take such child.

If such family cannot be found, then such child shall be  
8 placed in an institution maintained for children of such  
9 faith. In case no institution of such faith exists in this  
10 State or is able to take said child, then it may be placed  
11 in such institution as may be approved by the board until  
12 such a family has been secured; provided, however, that  
13 if the parents of such child are of different religious faiths,  
14 or the faith of its parents cannot for any reason be ascer-  
15 tained, then such child shall be placed in a family or  
16 institution of that religious faith in which such child has  
17 been reared and educated, but where no such family or  
18 institution can be found to take such child, then in some  
19 institution approved by said board until such family or  
20 institution can be found.

No child when placed in any home or institution shall  
22 be denied the opportunity of attending the religious wor-  
23 ship or exercising the religious belief of its parents or sur-  
24 viving parent or in which it was reared and educated.

Sect. 6. The board shall give its opinion as to advisa-  
2 bility of the proposed organization and incorporation of all  
3 institutions of a charitable, eleemosynary, correctional or  
4 reformatory character which are or shall be subject to the  
5 supervision and inspection of the board.

Sect. 7. All plans and specifications for new jails,  
2 work-houses, prisons, reformatories, children's homes, alms-  
3 houses, hospitals, or other similar institutions and build-  
4 ings for charitable or correctional purposes which are to be

5 in any way under the inspection of the State Board shall be  
6 submitted to the board for criticism and suggestions before  
7 the same are accepted.

Sect. 8. Overseers of the poor and all other officers  
2 having charge of the administration of pauper funds shall  
3 keep full and accurate records of the paupers fully sup-  
4 ported, the persons relieved and partially supported, and  
5 the travellers and vagrants lodged at the expense of their  
6 respective towns, together with the amount paid by them  
7 for such support and relief and shall annually make return  
8 of the number of such persons supported and relieved,  
9 with the cost, to the State Board of Charities. From the  
10 returns made by the overseers of the poor or other officers  
11 responsible for the administration of pauper funds the  
12 board shall prepare and print in its annual report a com-  
13 plete statement and table of all statistics and information  
14 thus obtained.

Sect. 9. The board shall annually on the thirty-first  
2 day of December prepare and print, for the use of the leg-  
3 islature a full and complete report of its work during the  
4 year ending on the first day of November preceding, stat-  
5 ing in detail all the expenses incurred, all officers and  
6 agents employed, with a report of the secretary showing  
7 the actual condition of the various institutions under its  
8 supervision, with such suggestions and recommendations  
9 as it may deem necessary and advisable.



Sect. 10. No member of said board or its secretary or  
2 any agent thereof shall be directly or indirectly interested  
3 in any contract for the purchase of land or for building,  
4 altering or repairing any institution or building which by  
5 this act they are authorized to visit and inspect or for fur-  
6 nishing materials or supplies for the same, nor shall any  
7 officers of such institution be eligible to appointment on the  
8 board hereby created.

Sect 11. 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 not more  
4 than five hundred dollars, or be imprisoned not more than  
5 six months.

Sect. 12. It shall be the duty of the attorney general and  
2 of the several county attorneys within their respective coun-  
3 ties when so required, to furnish such legal assistance, coun-  
4 sel or advice as the board may require in the discharge of its  
5 duties.

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STATE OF MAINE.

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IN SENATE,

February 3, 1909.

Reported by Mr. HASTINGS from Committee on Judiciary  
and laid on table to be printed under joint rules.

F. G. FARRINGTON,  
*Secretary.*