

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 31

In Senate, Jan. 25, 1911.

Introduced by Mr. Deering of Portland in House Jan. 24, and on motion by Mr. Winslow of Cumberland, laid on table for printing pending reference to Committee on Agriculture in concurrence.

W. C. HANSON, Secretary.

STATE OF MAINE

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

AN ACT creating a State Board of Charities and Corrections.

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 travelling 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 expiration
15 of a term of office shall be filled by appointment by the
16 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 travelling and other
6 necessary expenses, such salary as may be agreed upon by
7 the board, with the advice and consent of the Governor
8 and Council. The accounts of such secretary for his travel-
9 ling and other necessary expenses shall be approved by the
10 board, audited by the State Auditor and, together with the
11 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 \$6,000 shall be appropriated annu-
14 ally for the expenses of the board and the salary and ex-

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

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

26 prescribed by law as it may deem necessary to secure uni-
27 formity and accuracy in the statements of the several insti-
28 tutions and officials reporting. The board in its discretion
29 may at any time make an investigation of the management
30 of any charitable, reformatory, penal or other institution
31 made subject to its supervision by the terms of this act;
32 and when authorized by the Governor and Council the
33 board shall in making such investigation have power to
34 summon witnesses and demand the production of papers
35 and documents material as evidence, and to compel the
36 attendance of such witnesses and the production of such
37 papers and documents by punishment for contempt in case
38 of wilful failure, neglect or refusal to attend on the part
39 of any person summoned as a witness, or to produce such
40 papers or documents when ordered by the board, and shall
41 have power to administer oaths and affirmations; and the
42 report of such investigations, with the testimony and con-
43 clusions of the board thereon, shall be made to the Gov-
44 ernor and Council and may be submitted by them with their
45 recommendations, 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 much
5 oftener as may be found expedient, and at such times said
6 visiting member or secretary shall consult with the officers
7 of such institutions and make such recommendations and

8 suggestions as to the management thereof as may seem
9 advisable, and the board as a whole shall, whenever it seems
10 to be necessary, formally recommend to the trustees or
11 boards of management of any such institution or of any
12 department of public charities or corrections such course
13 of action in the conduct of said institution or department
14 as the board shall deem best. The board shall also give
15 to the Governor, or Governor and Council, or to the Legis-
16 lature or any committee thereof, at any time upon their
17 request, or when the board shall deem it necessary, infor-
18 mation and advice with reference to any charitable or cor-
19 rectional institutions which the board is required by this
20 act to inspect or investigate, or as to which it is required
21 to collect information or statistics, provided, however, that
22 before any report shall be made by the board to the Gov-
23 ernor and Council or to the Legislature recommending any
24 change in the policy or management of any institution rea-
25 sonable notice thereof shall be given to the trustees or
26 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 insti-
16 tution of that religious faith in which such child has been
17 reared and educated, but where no such family or institu-
18 tion can be found to take such child, then in some institu-
19 tion approved by said board until such family or institution
20 can be found.

No child when placed in any home or institution shall be
22 denied the opportunity of attending the religious worship
24 or exercising the religious belief of its parents or surviving
25 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, work-
2 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
5 be in any way under the inspection of the State Board shall

6 be submitted to the board for criticism and suggestions be-
7 fore 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 board
12 shall prepare and print in its annual report a complete
13 statement and table of all statistics and information thus
14 obtained.

Sect. 9. The board shall annually on the thirty-first day
2 of December prepare and print, for the use of the Legis-
3 lature 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 agents
6 employed, with a report of the secretary showing the actual
7 condition of the various institutions under its supervision,
8 with such suggestions and recommendations as it may deem
9 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
8 the 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
5 its duties.