

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 246

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*House of Representatives, Feb. 14, 1913.*

*Tabled pending reference to a committee by Mr. Trimble of Calais and ordered printed.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

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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 con-  
2 sent of the council, shall appoint three persons, at least one  
3 of whom shall be a woman, who shall constitute a State  
4 Board of Charities and Corrections, to serve without com-  
5 pensation, except their travelling and other necessary ex-  
6 penses which shall be audited by the State Auditor and  
7 paid by the State Treasurer upon the certificate of the State  
8 Auditor issued therefor, as provided by law. One of these  
9 persons, as selected by the Governor upon the first appoint-  
10 ment, shall serve for three years, one for two years and

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

Sect. 2. The board shall appoint a secretary, who shall  
2 not be chosen from their own number and who shall be qual-  
3 ified by special knowledge and experience in charitable and  
4 correctional and institutional work, and who shall receive  
5 for his services, in addition to his travelling and other nec-  
6 essary expenses, such salary as may be agreed upon by the  
7 board, with the advice and consent of the Governor and  
8 Council. The accounts of such secretary for his travelling  
9 and other necessary expenses shall be approved by the board,  
10 audited by the State Auditor and, together with the salary  
11 of such secretary, shall be paid out of the state treasury  
12 upon the certificate of the State Auditor issued thereof.  
13 The expenses of the board and the salary and expenses of  
14 the secretary and of any agent employed by the board shall  
15 be paid pro rata by all institutions receiving state aid.

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, sanatori-  
7 ums, almshouses, orphanages, hospitals for the insane,  
8 schools or homes for feeble-minded and any and all other  
9 institutions of such nature which derive their support whol-  
10 ly or in part from state, county or municipal appropriations,  
11 but not including any institution of a purely educational or  
12 industrial nature; and any private institution of a charitable  
13 or correctional nature may upon application and request in  
14 writing made to the secretary of the board, be included in  
15 the list of institutions under the inspection of said board  
16 and become subject to the provisions of this act. The offi-  
17 cers in charge of all institutions of a charitable or correc-  
18 tional nature under the inspection of the board, and local  
19 boards or committees having any powers or duties relative  
20 to the management of the same, and those who are in any  
21 way responsible for the administration of public funds used  
22 for the relief or maintenance of the poor, shall furnish to  
23 the board or its secretary such information and statistics as  
24 may be demanded. The board may prescribe such forms  
25 not inconsistent with those otherwise prescribed by law as  
26 it may deem necessary to secure uniformity and accuracy  
27 in the statements of the several institutions and officials  
28 reporting. The board in its discretion may at any time

29 make an investigation of the management of any charitable,  
30 reformatory, penal or other institution made subject to its  
31 supervision by the terms of this act; and when authorized  
32 by the Governor and Council the board shall in making such  
33 investigation have power to summon witnesses and demand  
34 the production of papers and documents material as evi-  
35 dence, and to compel the attendance of such witnesses and  
36 the production of such papers and documents by punish-  
37 ment for contempt in case of wilful failure, neglect or re-  
38 fusal to attend on the part of any person summoned as a  
39 witness, or to produce such papers or documents when or-  
40 dered by the board, and shall have power to administer oaths  
41 and affirmations; and the report of such investigations, with  
42 the testimony and conclusions of the board thereon, shall  
43 be made to the Governor and Council and may be submit-  
44 ted by them with their recommendations, to the Legislature.

Sect. 4. Each institution under the inspection of the board  
2 shall be visited at least once each year by a member of the  
3 board, or by the secretary of the board or authorized agent  
4 employed by the board for that purpose, and as much oftener  
5 as may be found expedient, and at such times said visiting  
6 member or secretary shall consult with the officers of such  
7 institutions and make such recommendations and sugges-  
8 tions as to the management thereof as may seem advisable,  
9 and the board as a whole shall, whenever it seems to be  
10 necessary, formally recommend to the trustees or boards of  
11 management of any such institution or of any department of

12 public charities or corrections such course of action in the  
13 conduct of said institution or department as the board shall  
14 deem best. The board shall also give to the Governor, or  
15 Governor and Council, or to the Legislature or any com-  
16 mittee thereof, at any time upon their request, or when the  
17 board shall deem it necessary, information and advice with  
18 reference to any charitable or correctional institutions which  
19 the board is required by this act to inspect or investigate, or  
20 as to which it is required to collect information or statistics,  
21 provided, however, that before any report shall be made  
22 by the board to the Governor and Council or to the Legis-  
23 lature recommending any change in the policy or manage-  
24 ment of any institution reasonable notice thereof shall be  
25 given to the trustees or boards of management of the same.

Sect. 5. Any minor child who shall come in any way un-  
2 der the inspection or supervision of the state board, when  
3 placed in a family, shall be placed in a family of the same  
4 religious faith as that of the parents or surviving parent of  
5 such child, where a suitable family of such faith can be  
6 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 in  
11 such institution as may be approved by the board until such  
12 a family has been secured; provided, however, that if the  
13 parents of such child are of different religious faiths, or

14 the faith of its parents cannot for any reason be ascertained,  
15 then such child shall be placed in a family or institution of  
16 that religious faith in which such child has been reared and  
17 educated, but where no such family or institution can be  
18 found to take such child, then in some institution approved  
19 by said board until such family or institution can be found.

No child when placed in any home or institution shall be  
21 denied the opportunity of attending the religious worship  
22 or exercising the religious belief of its parents or surviving  
23 parent or in which it was reared and educated.

Sect. 6. The board shall give its opinion as to advisability  
2 of the proposed organization and incorporation of all insti-  
3 tutions of a charitable, eleemosynary, correctional or re-  
4 formatory 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, prisoners, reformatories, children's homes, alms-  
3 houses, hospitals, or other similar institutions and buildings  
4 for charitable or correctional purposes which are to be in  
5 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 hav-  
2 ing charge of the administration of pauper funds shall keep  
3 full and accurate records of the paupers fully supported,  
4 the persons relieved and partially supported, and the trav-  
5 ellers and vagrants lodged at the expense of their respective

6 towns, together with the amount paid by them for such sup-  
7 port and relief and shall annually make return of the num-  
8 ber of such persons supported and relieved, with the cost,  
9 to the State Board of Charities. From the returns made  
10 by the overseers of the poor or other officers responsible  
11 for the administration of pauper funds the board shall pre-  
12 pare and print in its annual report a complete statement  
13 and table of all statistics and information thus obtained.

Sect. 9. The board shall annually on the thirty-first day  
2 of December prepare and print, for the use of the Legisla-  
3 ture a full and complete report of its work during the year  
4 ending on the first day of November preceding, stating in  
5 detail all the expenses incurred, all officers and agents em-  
6 ployed, 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, al-  
4 tering or repairing any institution or building which by this  
5 act they are authorized to visit and inspect or for furnishing  
6 materials or supplies for the same, nor shall any officers of  
7 such institution be eligible to appointment on the board here-  
8 by 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.