

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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SENATE

NO. 99

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*In Senate, Feb. 6, 1917.*

*Reported by Mr. Grant from Committee on Appropriations and Financial Affairs and ordered printed and recommitted to same committee.*

*L. ERNEST THORNTON, Secretary pro tem.*

*Presented by Mr. Higgins of Penobscot.*

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STATE OF MAINE

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

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AN ACT to Amend Chapter 147, Revised Statutes, Relating  
to the 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. Section 2 of Chapter 147, Revised Statutes  
2 is hereby amended by striking out at the end of the section,  
3 the words, "The expenses of the board and the salary and  
4 expense of the secretary or of any agent employed by the  
5 board not exceeding in all the sum of six thousand dollars  
6 shall be paid pro rata by all institutions coming within the  
7 scope of this chapter, which receive state aid, in the follow-

8 ing manner, viz: each of such institutions shall pay such pro-  
9 portion of said total expenses for any one year as its own  
10 appropriation for that year bears to the total amount appro-  
11 priated for that year for the benefit of all such institutions,”  
12 so that as amended the section shall read as follows:

‘Sect. 2. The board shall appoint a secretary, not of their  
2 own number, who shall have been a resident of the state for  
3 at least five years, and shall be qualified by special knowledge  
4 and experience in charitable, correctional and institutional  
5 work; he shall receive for his services, in addition to his  
6 traveling and other necessary expenses, such salary as may  
7 be agreed upon by the board, with the approval of the gov-  
8 ernor and council. The accounts of such secretary for his  
9 traveling 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 not exceeding twenty-five hun-  
12 dred dollars, shall be paid out of the state treasury upon  
13 certificate of the state auditor.’

Sect. 2. Section 3 of said Chapter 147 is hereby amended  
2 by adding in twentieth line thereof, the words, ‘and require  
3 such books of account and record to be kept,’ so that as  
4 amended said section shall read as follows:

‘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, ex-  
4 amine 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 feeble-minded and any and all other institu-  
9 tions of such nature which derive their support wholly or  
10 in part from state, county or municipal appropriations, but  
11 not including any institution of a purely educational or in-  
12 dustrial nature; any private institution of a charitable or  
13 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 chapter. The  
17 officers in charge of all institutions of a charitable or cor-  
18 rectional 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  
24 as may be demanded. The board may prescribe such forms,  
25 and require such books of account and record to be kept,  
26 not inconsistent with those otherwise prescribed by law, as  
27 it may deem necessary to secure uniformity and accuracy  
28 in the statements of the several institutions and officials re-  
29 porting. The board in its discretion, with the consent of  
30 the governor, may at any time make an investigation of the  
31 management of any charitable, reformatory, penal or other  
32 institution subject to its supervision; and when authorized

33 by the governor and council, the board shall in making such  
34 investigation have authority to summon witnesses and de-  
35 mand the production of papers and documents material as  
36 evidence, and to compel the attendance of such witnesses  
37 and the production of such papers and documents by punish-  
38 ment for contempt in case of wilful failure, neglect or re-  
39 fusal to attend on the part of any person summoned as a  
40 witness, or to produce such papers or documents when or-  
41 dered by the board, and shall have authority to administer  
42 oaths and affirmations; the report of such investigations,  
43 with the testimony and conclusions of the board thereon,  
44 shall be made to the governor and council and may be sub-  
45 mitted by them with their recommendations, to the legis-  
46 lature.'

Sect. 3. Section 4 of said Chapter 147 is hereby amended  
2 by inserting in the eleventh line thereof, the words, 'When-  
3 ever the board has reason to believe that any person receiv-  
4 ing or in need of assistance from the overseers of the poor  
5 of any city or town is not being given proper care and  
6 treatment, it may investigate the circumstances as to care  
7 and treatment needed and advise with the overseers of the  
8 poor, and wherever in its opinion justice to the overseers  
9 of the poor or other persons concerned requires it, the board  
10 shall make public the facts as determined by such investi-  
11 gations,' so that said section as amended shall read as fol-  
12 lows:

'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 an 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 ad-  
9 visable; 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  
12 of public charities or corrections such course of action in  
13 the conduct of said institution or department as the board  
14 shall deem best. Whenever the board has reason to believe  
15 that any person receiving or in need of assistance from the  
16 overseers of the poor of any city or town is not being given  
17 proper care and treatment, it may investigate the circum-  
18 stances as to care and treatment needed and advise with the  
19 overseers of the poor, and wherever in its opinion justice  
20 to the overseers of the poor or other persons concerned re-  
21 quires it, the board shall make public the facts as deter-  
22 mined by such investigations. The board shall also give to  
23 the governor, or governor and council, or to the legislature  
24 or any committee thereof, at any time upon their request,  
25 or when the board shall deem it necessary, information and  
26 advice with reference to any charitable or correctional insti-  
27 tutions which the board is required by this chapter to in-  
28 spect or investigate, or as to which it is required to collect

29 information or statistics ; provided, however, that before any  
 30 report shall be made by the board to the governor and coun-  
 31 cil, or to the legislature, recommending any change in the  
 32 policy or management of any institution, reasonable notice  
 33 thereof shall be given to the trustees or boards of manage-  
 34 ment of the same.'

1 Sect. 4. Section 5 of said Chapter 147 is hereby amended  
 2 by striking out in the 6th, 7th and 8th lines, the words,  
 3 "already under the supervision of said board on the third  
 4 day of July, nineteen hundred and fifteen, by virtue of the  
 5 provisions of this chapter," and inserting the following:  
 6 'which comes under the supervision of said board by virtue  
 7 of the provisions of this chapter,' so that said section as  
 8 amended shall read as follows :

1 'Sect. 5. No person, firm, corporation or association shall  
 2 solicit funds for charitable or benevolent purposes outside  
 3 of the municipality where such person resides or where such  
 4 firm, corporation or association has its place of business,  
 5 without having in full force a written license therefor from  
 6 the state board of charities and corrections; provided, that  
 7 this section shall not apply to any person or organization  
 8 which comes under the supervision of said board by virtue  
 9 of the provisions of this chapter. No license shall be granted  
 10 for a term exceeding one year. It shall state the name of  
 11 the licensee, his residence or place of business, and for what  
 12 purpose the funds are to be solicited. The board shall grant  
 13 such license whenever it shall be shown to its satisfaction

14 that the person or organization requesting the license is  
15 reputable and responsible and has suitable facilities for ap-  
16 plying the funds to the purpose for which they are to be  
17 solicited, and that the records of such funds and the pur-  
18 pose for which they are used will be properly and accu-  
19 rately kept. Such license shall be furnished to the licensee  
20 without fee or charge, and may be revoked by the board  
21 whenever in its discretion it seems for the best interest of  
22 the public so to do.'

Sect. 5. Section 6 of said Chapter 147 is hereby amended  
2 to read as follows:

'Sect. 6. The board shall give its opinion to the attorney-  
2 general as to the advisability of the proposed organization  
3 and incorporation of all institutions of a charitable, eleemo-  
4 synary, correctional or reformatory character, and unless  
5 the board shall certify that in its opinion a need exists in  
6 the community for the organization and incorporation of  
7 such an institution and that the incorporators are proper per-  
8 sons to be charged with its management, the attorney-gen-  
9 eral shall not issue the certificate required by Section 4,  
10 Chapter 62, Revised Statutes; provided, that on appeal from  
11 a decision of the state board after hearing before the gov-  
12 ernor and council and upon their order, the attorney-general  
13 may issue the said certificate without the approval of the  
14 said board.'

Sect. 6. Section 7 of said Chapter 147 is hereby amended  
2 by inserting in the fourth line thereof, the words, 'and all



3 plans and specifications for alterations of, additions to, or  
4 repairs of, such buildings which involve any change in the  
5 design, character or use of the building,' so that said section  
6 as amended shall read as follows:

'Sect. 7. All plans and specifications for new jails, work-  
2 houses, prisons, reformatories, children's homes, almshouses,  
3 hospitals, or other similar institutions and buildings for  
4 charitable or correctional purposes, which are to be in any  
5 way under the inspection of the board, and all plans and  
6 specifications for alterations of, additions to, or repairs of,  
7 such buildings which involve any change in the design, char-  
8 acter or use of the building, shall be submitted to the board  
9 for criticism and suggestions before the same are accepted.'

Sect. 7. Section 8 of said Chapter 147 is hereby amended  
2 to read as follows:

'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 travel-  
5 ers and vagrants lodged at the expense of their respective  
6 towns, together with the amount paid by them for such  
7 support and relief and shall annually, on or before the thir-  
8 tieth day of April, make return of the number of such per-  
9 sons supported and relieved, with the cost, to the state  
10 board of charities and corrections. If said overseers or  
11 other officers refuse or neglect to make such returns on or  
12 before the date specified, the city or town shall forfeit one

13 dollar for each day's neglect, and the amount of such for-  
14 feiture shall be deducted from any amount to which said  
15 city or town may be entitled as reimbursement for relief  
16 of state paupers as provided in Chapter 29, Revised Stat-  
17 utes; and if no such reimbursement shall be due said city  
18 or town, the forfeiture shall be deducted from any money  
19 which may be due to it from the state. From the returns  
20 made by the overseers of the poor or other officers respon-  
21 sible for the administration of pauper funds the board shall  
22 prepare and print in its biennial report a complete state-  
23 ment and table of all statistics and information thus ob-  
24 tained.'

Sect. 8. Section 9 of said Chapter 147 is hereby amended  
2 to read as follows:

'Sect. 9. The board shall in January, April, July and Oc-  
2 tober of each year make a quarterly report to the governor,  
3 showing the actual condition of the various institutions un-  
4 der its supervision which have been inspected by the mem-  
5 bers of the board, its secretary or other agents during the  
6 preceding three months with such suggestions and recom-  
7 mendations as it may deem necessary and advisable, and  
8 shall publish a quarterly bulletin, in which shall be included  
9 a summary of such reports and recommendations. The  
10 board shall, biennially on or before the first day of Jan-  
11 uary in each year in which the legislature convenes, pre-  
12 pare and print, for the use of the legislature, a full and  
13 complete financial and statistical report of the various in-

14 stitutions under its supervision, and a statement of all ex-  
15 penses incurred and all officers and agents employed, for the  
16 two-year period ending on the thirtieth day of June pre-  
17 ceding, with such suggestions and recommendations as it  
18 may deem necessary or advisable.'