

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 22

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House of Representatives, Jan. 23, 1919.

Tabled for printing pending reference to a committee by Mr. Sawyer of Fort Fairfield.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sawyer of Fort Fairfield.

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STATE OF MAINE

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

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AN ACT amendatory and additional to chapter one hundred and ninety seven of the public laws of nineteen hundred and seventeen relating to state department of health.

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

Chapter one hundred and ninety seven of the public laws 2 of nineteen hundred and seventeen is hereby amended by 3 striking out the whole of section ten thereof and by adding 4 to said chapter as so amended the following sections, namely:

'Sect. 10. Every city, town, and organized plantation shall 2 employ an official who shall be known as the 'local health 3 officer' and who shall be appointed by the officers of the 4 municipality subject to the approval of the state commis-

5 sioner of health. Upon the failure to fill said office as  
6 herinbefore stated within thirty days after a vacancy occurs  
7 therein the state commissioner of health shall appoint said  
8 official. The local health officer shall be ex-officio the third  
9 member and the executive officer of the local board of health,  
10 or at the option of the municipal officers, may take the place  
11 of the local board of health. He may be employed to devote  
12 a part or all of his time to the performance of the duties of  
13 his office. If employed to give his entire time and if he  
14 possesses the qualifications of a district health officer as  
15 stated in section six hereof, or is approved by the state  
16 health commissioner on the basis of experience in public  
17 health administration, the state department of health is  
18 authorized and directed to pay from money appropriated to  
19 said department of health for said purpose one-third of the  
20 total salary of said official, not to exceed eight hundred  
21 dollars a year, payment to be made directly by the state to  
22 said local health officer.

‘Sect. 11. Subject to the approval of the state health com-  
2 missioner, several adjoining towns, cities, or organized  
3 plantations may unite in employing the same local health  
4 officer who shall possess the qualifications of a district health  
5 officer as stated in section six hereof, or is approved by the  
6 state health commissioner on the basis of experience in pub-  
7 lic health administration, shall devote his entire time to the  
8 performance of his duties and shall receive one-third of  
9 his salary, not to exceed eight hundred dollars a year, from  
10 the state.

‘Sect. 12. Said local health officers shall assist in the re-  
2 porting, prevention and suppression of diseases and all con-  
3 ditions dangerous to health, and shall be subject to the super-  
4 vision and direction of the state department of health.

‘Sect. 13. The powers vested in local boards of health by  
2 authority of section forty-five of chapter nineteen of the  
3 Revised Statutes shall be exercised under the control and  
4 direction of the state department of health.

‘Sect. 14. The state department of health shall from time  
2 to time make and publish such orders and regulations as  
3 they shall think necessary and proper for the protection of  
4 life and health and the successful operation of the health  
5 laws of this state, which said orders and regulations shall  
6 be published in such manner as said department of health  
7 directs. In case of emergency or threatened epidemic of  
8 disease which may affect more than one city, town, or plan-  
9 tation, the state department of health, if it shall appear to  
10 them necessary and proper for the protection of life and  
11 health, may make such further orders and regulations as in  
12 their opinion the public exigency may require.

‘Sect. 15. Whoever violates any provision of the preceding  
2 sections, or any order or regulation made thereunder, shall  
3 be punished by a fine of not less than ten nor more than  
4 one hundred dollars for each offense. Municipal and police  
6 courts and trial justices shall have jurisdiction of all offenses  
7 under this act.

‘Sect. 16. The sum of sixty thousand dollars shall be ap-

2 appropriated annually to the state department of health for the  
3 purpose of carrying out the provisions of sections six, ten,  
4 eleven, twelve and thirteen, said appropriation to be ex-  
5 clusive of the appropriation to said department made by  
6 section eight.

‘Sect. 17. All acts and parts of acts inconsistent herewith  
2 are hereby repealed, but it is expressly provided that all  
3 penalties now provided by law for the violation of the pub-  
4 lic health laws and regulations shall continue in force.’

EXPLANATION TO ACCOMPANY  
HOUSE DOCUMENT 22.

Explanation of the proposed amendment to the Department  
of Health Act.

The chief purpose of this amendment is to make a responsible head of health affairs in the state and provide additional machinery for the carrying out of the duties of this responsible official. Taking the amendment section by section, it is provided:

1. That section ten of the previous act is repealed. This section ten is simply the section which repeals inconsistent legislation and under this amendment it is simply transferred and becomes section seventeen of the law, the last section.

The additional sections added are:

Sect. 10. This provides that each municipality shall employ a local health officer. The section leaves open to the municipality three means of carrying out the law: (1) the local health officer, who must in all cases be a member of the local board of health, may be employed without salary, or with whatever salary the municipality desires to pay, so that no additional expense is incurred by the municipality; (2) the municipality may employ a full time official; that is, one who shall give his entire time to this work, and who shall possess additional qualifications. In such case the state pays one-third of his salary,

said one-third not to exceed eight hundred dollars; that is, the state encourages the employment of full time officials; (3) contiguous municipalities may combine and employ a full time official who shall possess the qualifications and shall receive one-third of his pay, not in excess of eight hundred dollars, from the state as aforesaid. This enables municipalities to have the best of service and at the same time by uniting with other towns save considerable money, so that the act really is a piece of permissive legislation which enables each town and city to comply with the law and still be governed by its own financial ability.

Sect. 11. This section provides for the union of contiguous town in the employment of a full time official as has been previously stated.

Sect. 12. This merely prescribes the duties of the local health officer. He shall assist in reporting, preventing and suppressing diseases, etc.

Sect. 13. This provides for supervision and direction by the state department of health of the work of local boards of health.

Sect. 14. This provides for the making of necessary orders and regulations by the state department of health, so as to carry out the provisions of this law and meet any emergency or threatened epidemic.

Sect. 15. This provides for a penalty for violation of the health law.

Sect. 16. This provides for an appropriation for the purposes above outlined.

Sect. 17. This repeals inconsistent legislation.