

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# E I G H T Y - N I N T H   L E G I S L A T U R E

---

---

**Legislative Document**

**No. 30**

H. P. 73

House of Representatives, January 17, 1939.

Referred to the Committee on Judiciary. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Marshall of Auburn.

---

---

## S T A T E   O F   M A I N E

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

---

### **AN ACT Creating a Probation Department.**

---

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

**Sec. 1. Board of probation, created.** The governor, by and with the consent of the council, shall appoint a board of probation to consist of 3 members for periods of 3, 2 and 1 years respectively, and thereafter 1 every year for a 3-year term, to fill the vacancy thus arising. Vacancies in said board caused by the death, resignation, removal of any member, or for any other cause shall be filled by appointment of the governor with the advice and consent of the council for the unexpired term. All members of the board shall serve without compensation, but shall be reimbursed for all necessary expenses incurred in the performance of their duties. Any member of the board may be removed for cause by the governor on the advice and with consent of the council. The board shall elect a chairman and a clerk.

**Sec. 2. Duties.** The board shall have general supervision over the probation officers in all of the counties of the state; shall make rules and regulations for the training and work of such probation officers, which said rules and regulations shall become effective upon approval of the chief justice of the supreme judicial court; shall investigate and study pro-

bation systems of other jurisdictions including the psychological and psychiatric problems involved; and shall report to the governor and council and to the legislature such facts and recommendations relating to the administration of probation as in the opinion of the board may aid in the administration of justice and suppression of crime through probation.

**Sec. 3. Executive officer.** The board shall, subject to approval of the governor and council, appoint a director of probation who shall be the executive officer of the probation board. He shall be furnished with an office at the state house in Augusta and shall perform such duties as may be required of him by the board, and shall have such salary as may be fixed by the governor, with the advice and consent of the council, and be paid the necessary expenses incurred in the performance of his duty. He may employ, with the advice and consent of the governor and council, and subject to the approval of the board, such assistants and such psychological and psychiatric consultants as may be necessary, whose pay shall be fixed by the governor with the advice and consent of the council.

The director of probation shall make rules and regulations subject to the approval of the board, for the keeping, filing, indexing and dissemination of probation records and for the work of the various probation officers in the state, and shall keep at his said office a complete record of all persons convicted of crime and of all persons placed on probation by the various courts, copies of which said records shall be forwarded on request to any of the courts of the state, to any of the probation officers of the various counties, and to all law enforcement and prosecuting officers.

**Sec. 4. Appropriation.** There is hereby appropriated for the purpose of administering the provisions of this act, the sum of \$10,000 for each of the fiscal years ending June 30, 1940 and June 30, 1941.