

# MAINE STATE LEGISLATURE

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NINETY-SECOND LEGISLATURE

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Legislative Document

No. 472

S. P. 213

In Senate, February 7, 1945.

Referred to Committee on Public Health, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Miss Clough of Penobscot.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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AN ACT Relating to Local Health Officers.

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

Sec. 1. R. S., c. 22, § 34 repealed and replaced. Section 34 of chapter 22 of the revised statutes is hereby repealed and replaced to read as follows:

'Sec. 34. Appointment of local health officers. Every city, town and organized plantation in the state shall employ an official who shall be known as the local health officer who shall be appointed by the municipal officers of such city, town or organized plantation. The local health officer shall be appointed for a term of 3 years and until his successor is appointed, provided that on expiration of the term of office the municipal officers shall appoint a successor within 30 days of such resignation or expiration. The municipal officers or clerk of all municipalities shall within 10 days notify the department in writing of the appointment of a health officer, stating the health officer's name, age, address, and the dates of appointment and beginning of 3-year term. The health officer in towns or plantations contiguous to unorganized territory shall perform the duties of health officer in such territory; provided, however, that the director of the bureau of health may appoint, subject to the approval of the commissioner, health officers in remote unorganized territory whenever he shall

deem it advisable, and the compensation of such health officers shall be determined and paid by the department.

In the event of incapacity or absence of the local health officer, the municipal officers shall appoint a person to act as health officer during such incapacity or absence. Failing such appointment, the chairman of the municipal officers shall perform the duties of local health officer until the regular health officer is returned to duty or appointment of another person has been made.

In municipalities with a manager form of government, when the charter so provides, the appointments provided for in this section may be made by the said manager and the duty prescribed for the chairman of the municipal officers during incapacity or absence of the health officer shall be performed by the manager.'

Sec. 2. R. S., c. 22, § 35 repealed and replaced. Section 35 of chapter 22 of the revised statutes is hereby repealed and replaced to read as follows:

'Sec. 35. Compensation of local health officers. Health officers may be employed to devote a part or all of their time to the duties of the office. When employed to devote their entire time to their duties, and if they possess the qualifications required of a district health officer as stated in section 29, the department is authorized and directed to pay from money appropriated to said department for district health services not to exceed  $\frac{1}{3}$  of the total salary of said official, but not more than \$1,500 per annum, payment to be made direct by the state to the town by which said local health officer is employed.

No city, town or organized plantation employing a health officer to devote his entire time to the duties of his office shall receive any payment from the state as provided in this section unless the appointment of said health officer has been approved by the commissioner or his duly authorized agent.

The offices of local health officer and town or school physician shall be combined when in the opinion of the municipal officers the health needs of the people would be better served. Such combination must be approved by the commissioner when the state contributes to the salary of such office.'

Sec. 3. R. S., c. 22, amended. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered section 35-A to read as follows:

'Sec. 35-A. Boards of health. Any municipality may appoint, in addition to the local health officer, a board of health consisting of 3 members besides the local health officer, one of whom shall be a physician if available in the community, and one a woman. When first appointed members of the board shall be appointed one for 1 year, one for 2 years, and one for 3 years. Subsequent appointments shall be for 3-year terms.

The local health officer shall be secretary ex officio of said board and keep a record of all proceedings. The local board of health shall constitute an advisory body to the local health officer.'