

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

Published by the Secretary of State, agreeably to Resolves of
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

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—Washington's birthday, and Columbus day.

to the community, state and nation of which they constitute a part. In the absence of any vote of the superintending school committee said days, hereinafter designated, shall be observed as legal school holidays with the closing of schools. The days thus designated for school observance upon vote of the superintending school committee of any town shall be as follows: Washington's birthday, February twenty-two; Columbus day, October twelve.'

Approved April 9, 1913.

Chapter 196.

An Act Creating a State Board of Charities and Corrections and Prescribing the Powers and Duties Thereof.

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

State Board of Charities and Corrections.

—expenses without compensation.

—terms of members of board.

—vacancies, how filled.

—board shall be non-partisan.

—officers of board.

—rules governing state institutions must be approved by the board.

Secretary, qualifications of.

—salary of secretary.

Section 1. The governor, by and with the advice and consent of the council, shall appoint five persons, at least one of whom shall be a woman, who shall constitute a State Board of Charities and Corrections, to serve without compensation, except their travelling and other necessary expenses which shall be audited by the state auditor and paid by the state treasurer upon the certificate of the state auditor issued therefor, as provided by law. One of these persons, as selected by the governor upon the first appointment, shall serve for five years, one for four years, one for three years, one for two years and one for one year, and upon the expiration of the terms of each, his or her successor shall in like manner be appointed for the term of five years. Any vacancy arising before the expiration of a term of office shall be filled by appointment by the governor for the residue of the term. The board shall be non-partisan politically. Regular meetings of the board shall be held quarterly, or oftener, if required, and a suitable room shall be provided in the state house for its use. The board may elect a president, appoint a secretary and agents, all subject to approval and removal by the governor, and make such rules and orders for the regulation of its proceedings as it may deem necessary. All rules and regulations governing the administration of state institutions must be approved by the state board, and no superintendent, agent or other under-official shall have any discretionary power to change such rules and regulations.

Section 2. The board shall appoint a secretary, who shall not be chosen from their own number and who shall be qualified by special knowledge and experience in charitable, correctional and institutional work, and who shall receive for his

services, in addition to his travelling and other necessary expenses, such salary as may be agreed upon by the board, with the advice and consent of the governor and council. The accounts of such secretary for his travelling and other necessary expenses shall be approved by the board, audited by the state auditor and, together with the salary of such secretary, not exceeding twenty-five hundred dollars shall be paid out of the state treasury upon the certificate of the state auditor issued thereof. The expenses of the board and the salary and expense of the secretary or of any agent employed by the board not exceeding in all the sum of six thousand dollars shall be paid pro rata by all institutions coming within the scope of this act which receive state aid in the following manner, viz: Each of such institutions shall pay such proportion of said total expenses for any one year as its own appropriation for that year bears to the total amount appropriated for that year for the benefit of all such institutions.

Section 3. The board shall investigate and inspect the whole system of public charities and correctional institutions in the state and the work of any department of the same, examine into the condition and management of all prisons, jails, reform schools, industrial schools of a charitable or correctional nature, children's homes, hospitals, sanatoriums, almshouses, orphanages, hospitals for the insane, schools or homes for feeble-minded and any and all other institutions of such nature which derive their support wholly or in part from state, county or municipal appropriations, but not including any institution of a purely educational or industrial nature; and any private institution of a charitable or correctional nature may upon application and request in writing made to the secretary of the board, be included in the list of institutions under the inspection of said board and become subject to the provisions of this act. The officers in charge of all institutions of a charitable or correctional nature under the inspection of the board, and local boards or committees having any powers or duties relative to the management of the same, and those who are in any way responsible for the administration of public funds used for the relief or maintenance of the poor, shall furnish to the board or its secretary such information and statistics as may be demanded. The board may prescribe such forms not inconsistent with those otherwise prescribed by law as it may deem necessary to secure uniformity and accuracy in the statements of the several institutions and officials reporting. The board in its discretion with knowledge and consent of the governor of the state may at any time make an investigation of the management of any charitable, reformatory, penal or other institution

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—accounts of secretary, how approved and audited.

—expenses of board and salary and expense of secretary, payment of.

Duties of the board.

—exceptions.

—officers of institutions shall furnish statistics and information to secretary of board.

—board may prescribe forms for reports.

—board may make investigations.

investiga-

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—when authorized by governor and council may summon witnesses, etc.

—may administer oaths.

Institutions shall be visited at least once a year.

—duties when visits are made.

—on request board shall give information to governor and council, to legislature or to committee thereof.

Board may place minor child in family of same religious faith.

made subject to its supervision by the terms of this act; and when authorized by the governor and council the board shall in making such investigation have power to summon witnesses and demand the production of papers and documents material as evidence, and to compel the attendance of such witnesses and the production of such papers and documents by punishment for contempt in case of wilful failure, neglect or refusal to attend on the part of any person summoned as a witness, or to produce such papers or documents when ordered by the board, and shall have power to administer oaths and affirmations; and the report of such investigations, with the testimony and conclusions of the board thereon, shall be made to the governor and council and may be submitted by them with their recommendations, to the legislature.

Section 4. Each institution under the inspection of the board shall be visited at least once each year by a member of the board or by the secretary of the board or authorized agent employed by the board for that purpose, and as much oftener as may be found expedient, and at such times said visiting member or secretary shall consult with the officers of such institutions and make such recommendations and suggestions as to the management thereof as may seem advisable, and the board as a whole shall, whenever it seems to be necessary, formally recommend to the trustees or boards of management of any such institution or of any department of public charities or corrections such course of action in the conduct of said institution or department as the board shall deem best. The board shall also give to the governor, or governor and council, or to the legislature or any committee thereof, at any time upon their request, or when the board shall deem it necessary, information and advice with reference to any charitable or correctional institutions which the board is required by this act to inspect or investigate, or as to which it is required to collect information or statistics, provided, however, that before any report shall be made by the board to the governor and council or to the legislature recommending any change in the policy or management of any institution reasonable notice thereof shall be given to the trustees or boards of management of the same.

Section 5. Any minor child who shall come in any way under the inspection or supervision of the state board, when placed in a family, shall be placed in a family of the same religious faith as that of the parents or surviving parent of such child, where a suitable family of such faith can be found willing to take such child. Any written promise made to either parent in such matter shall be faithfully carried out by the board.

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If such family cannot be found, then such child shall be placed in an institution maintained for children of such faith. In case no institution of such faith exists in this state or is able to take said child, then it may be placed in such institution as may be approved by the board until such a family has been secured; provided, however, that if the parents of such child are of different religious faiths, or the faith of its parents cannot for any reason be ascertained, then such child shall be placed in a family or institution of that religious faith in which such child has been reared and educated, but where no such family or institution can be found to take such child, then in some institution approved by said board until such family or institution can be found.

Child may be placed in institution of same religious faith.

—proviso.

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

Children shall have opportunity to attend religious worship.

Section 6. The board shall give its opinion as to advisability of the proposed organization and incorporation of all institutions of a charitable, eleemosynary, correctional or reformatory character which are or shall be subject to the supervision and inspection of the board.

Board shall advise as to organization of institutions to be under its charge.

Section 7. All plans and specifications for new jails, workhouses, prisons, reformatories, children's homes, almshouses, hospitals, or other similar institutions and buildings for charitable or correctional purposes which are to be in any way under the inspection of the state board shall be submitted to the board for criticism and suggestions before the same are accepted.

Plans for new jails, jails, etc., shall be submitted to the board.

Section 8. Overseers of the poor and all other officers having charge of the administration of pauper funds shall keep full and accurate records of the paupers fully supported, the persons relieved and partially supported, and the travellers and vagrants lodged at the expense of their respective towns, together with the amount paid by them for such support and relief and shall annually make return of the number of such persons supported and relieved, with the cost, to the State Board of Charities. From the returns made by the overseers of the poor or other officers responsible for the administration of pauper funds the board shall prepare and print in its annual report a complete statement and table of all statistics and information thus obtained.

Overseers of the poor, etc., shall keep accurate records and make annual returns to the board.

—board shall make annual return with tabulation of statistics.

Section 9. The board shall annually on the thirty-first day of December prepare and print, for the use of the legislature, a full and complete report of its work during the year ending on the first day of November preceding, stating in detail all the expenses incurred, all officers and agents employed, with a re-

Report of board shall be printed.

CHAP. 197 port of the secretary showing the actual condition of the various institutions under its supervision, with such suggestions and recommendations as it may deem necessary and advisable.

Members of board or its secretary shall not be interested in any contracts, etc. Section 10. No member of said board or its secretary or any agent thereof shall be directly or indirectly interested in any contract for the purchase of land or for building, altering or repairing any institution or building which by this act they are authorized to visit and inspect or for furnishing materials or supplies for the same, nor shall any officers of such institution be eligible to appointment on the board hereby created.

Failure to perform imposed duties, how punished. Section 11. Any official or person who shall wilfully fail, neglect or refuse to perform any of the duties imposed upon him by the provisions of this act, shall be fined not more than five hundred dollars, or be imprisoned not more than six months.

Attorney general shall furnish legal assistance to the board. Section 12. It shall be the duty of the attorney general and of the several county attorneys within their respective counties when so required, to furnish such legal assistance, counsel or advice as the board may require in the discharge of its duties.

Secretary shall have been a resident of Maine for five years. Section 13. The secretary of said board shall have been a resident of the state of Maine for at least five years.
Approved April 9, 1913.

Chapter 197.

An Act Providing Temporary Clerk Hire for the Register of Deeds in Oxford County.

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

Additional clerk hire provided. In addition to any sums now provided by law, there shall be paid the register of deeds in Oxford county the sum of two hundred dollars per year for clerk hire for two years beginning July first, nineteen hundred thirteen, said sum to be paid from the county treasury.

Approved April 9, 1913.

Chapter 198.

An Act Providing Temporary Clerk Hire for the Register of Probate in Penobscot County.

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

Additional clerk hire provided. In addition to any sums now provided by law, there shall be paid the register of probate in Penobscot county the sum of four hundred dollars per year for clerk hire for two years beginning July first, nineteen hundred thirteen, said sum to be paid from the county treasury.

Approved April 9, 1913.