

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

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existing provisions of law applicable to either of said boards shall hereafter apply to said board of prison commissioners. The commission shall have exclusive jurisdiction in all cases in granting paroles.

Sec. 9. Inconsistent statutes repealed. Sections four, eleven and fifty-two of chapter one hundred and forty-two of the revised statutes and all other acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 10. Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

Chapter 196.

An Act to Amend Section Sixteen of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of State Treasurer.

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

R. S., c. 117, § 16, relating to salary of state treasurer. Chapter one hundred seventeen, section sixteen, is hereby amended by inserting in the second line thereof between the word "thousand" and the word "dollars," the words 'five hundred' and by inserting after the word "dollars" in the second line the words 'and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department', so that said section as amended shall read as follows:

'Sec. 16. Increased from \$2,000 to \$2,500; authority for appropriation. The treasurer of state shall receive an annual salary of two thousand five hundred dollars, and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department; he shall receive no other fee, emolument or perquisite.

The chief clerk in the office of the treasurer of state shall be designated as "deputy treasurer of state" and shall receive an annual salary of eighteen hundred dollars.'

Approved April 6, 1917.

Chapter 197.

An Act to Create a State Department of Health.

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

Sec. 1. State department of health created—composition. There is hereby created a state department of health which shall exercise all the powers and perform the duties now conferred and imposed by law upon the state board of health. The state department of health shall consist of a commissioner of health and a public health council. There shall also be directors

of divisions, district health officers, and other employees as hereinafter provided.

Sec. 2. Headquarters; department to furnish own supplies. The headquarters of the department shall be at Augusta and suitable rooms for offices and laboratories shall be provided by the state for the use of the department. The department shall furnish its own supplies and equipment out of the fund hereinafter provided for its use.

Sec. 3. Commissioner of health; appointment, qualifications, tenure of office, duties, etc. The commissioner of health shall be appointed by the governor with the advice and consent of the council and he shall be a physician skilled in sanitary science and experienced in public health administration. The term of office of the commissioner of health shall be six years and he shall devote his entire time to his official duties. The commissioner of health shall be the administrative head of the state department of health and his powers and duties shall be to administer the laws relative to health and sanitation and the regulations of the department; to prepare rules and regulations for the consideration of the public health council; and with the advice of the public health council to appoint and remove directors of divisions, district health officers, inspectors and other necessary employees and to fix their compensation within the limitations of the appropriation therefor. The commissioner of health shall submit annually to the public health council a report containing recommendations in regard to health legislation; and he shall perform all executive duties now required by law of the state board of health and such other duties as are incident to his position as chief executive officer. He may direct any executive officer or employee of the state department of health to assist in the study, suppression or prevention of disease in any part of the state. The commissioner of health may be removed by the governor with the advice and consent of the council for cause shown at a hearing.

Sec. 4. Public health council, membership and qualifications, tenure of office, vacancies, etc.; meetings and duties. The public health council shall consist of the commissioner of health and four other members hereinafter called the appointive members, at least two of whom shall be physicians and who shall be appointed by the governor with the advice and consent of the council. Of the members first appointed one shall hold office until the first day of May in the year nineteen hundred eighteen, one until the first day of May in the year nineteen hundred nineteen, one until the first day of May in the year nineteen hundred twenty, and one until the first day of May in the year nineteen hundred twenty-one, and the terms of office of the said members thereafter appointed except to fill vacancies shall be four years. Vacancies shall be filled by appointment of the governor with the advice and consent of the council for the unexpired term. The public health council shall meet at least once in each month and at such other times as they shall determine by their rules, or upon the request of any three members, or upon request of the commissioner of health. It shall be the duty of the public health council to make and promulgate rules and regulations in furtherance of the public health law; to consider plans and ap-

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pointments required by law; to submit annually to the legislature through the governor a report, including recommendations as to needed health legislation; and to discharge other duties required by law, but it shall have no administrative or executive functions.

Sec. 5. Divisions; number, how regulated; directors, how appointed; duties. There shall be in the state department of health such divisions as the commissioner of health may, with the approval of the public health council, from time to time determine. The commissioner of health shall appoint and may remove, with the advice of the public health council, a director to take charge of each division and shall prescribe the duties of such directors of divisions.

Sec. 6. State to be divided into health districts; district health officers appointed by commissioner, qualifications and duties. The commissioner of health, with the advice of the public health council, shall from time to time, divide the state into three or more health districts and shall appoint and may remove district health officers for each district. The district health officers shall not be engaged in any other occupation and shall give their entire time to the performance of their duties. The commissioner of health may order two or more of said district health officers to work in one district in order to study, suppress or prevent disease. Each district health officer shall, under the direction of the commissioner of health, perform such duties as may be prescribed by the commissioner of health and shall act as the representative of the commissioner of health and under his direction shall secure the enforcement within his district of the public health laws and regulations. Said district health officers shall be graduates of an incorporated medical school and admitted to practice medicine in this state, or shall have been certified in public health by a reputable institution of collegiate grade.

Sec. 7. Salaries. The commissioner of health shall receive an annual salary of four thousand dollars. The appointive members of the public health council shall receive five dollars per day while in conference and their necessary traveling expenses while in the performance of their official duties. The compensation of directors of divisions and of the district health officers shall be fixed by the commissioner of health, and shall not exceed twenty-five hundred dollars per year.

Sec. 8. Annual appropriation of \$30,000. The sum of thirty thousand dollars shall be annually appropriated for the purposes of the state department of health.

Sec. 9. Individual to select own physician. Nothing in this act shall be construed to empower or authorize the state department of health or its representative to interfere in any manner with the individual's right to select the physician or mode of treatment of his choice, providing that sanitary laws, rules and regulations are complied with.

Sec. 10. Inconsistent statutes repealed; penalties continued in force. All acts and parts of acts inconsistent herewith are hereby repealed, but it

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is expressly provided that all penalties now provided by law for the violation of the public health laws and regulations shall continue in force.

Approved April 6, 1917.

Chapter 198.

An Act to Amend Section Twenty-four of Chapter Fifty-eight of the Revised Statutes, Relating to Unclaimed Baggage and Merchandise Transported by Street Railways.

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

R. S., c. 58, § 24, relating to the application of certain statutes concerning steam railroads to street railroads, amended. Section twenty-four of chapter fifty-eight of the revised statutes is hereby amended by inserting between the word "fifty-seven," in the fifth line thereof, and the word "shall," in the sixth line thereof, the following: 'and sections seventeen and eighteen of chapter fifty-nine', so that section twenty-four as amended shall read as follows:

'Sec. 24. R. S., c. 59, § 17 and § 18, relating to unclaimed baggage made applicable to street railroads. So far as applicable the provisions of sections twenty-nine to forty-seven, both inclusive, sections forty-eight, fifty-one, fifty-two, fifty-three and fifty-four of chapter fifty-six, and sections eight, nine, ten, twenty-two to twenty-five, both inclusive, twenty-eight, twenty-nine, fifty-four, sixty-four and sixty-five of chapter fifty-seven, and sections seventeen and eighteen of chapter fifty-nine, shall apply to street railroads.'

Approved April 6, 1917.

Chapter 199.

An Act to Amend Section Seventeen of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Salary of the State Auditor.

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

R. S., c. 117, § 17, relating to state auditor's office, amended. Section seventeen of chapter one hundred and seventeen of the revised statutes is hereby amended by striking out in the first and second lines of said section the words "two thousand five hundred dollars" and inserting in lieu thereof the words 'three thousand dollars, and the said three thousand dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state auditor and charged to the appropriation for his department,' so that said section as amended shall read as follows:

'Sec. 17. Salary increased from \$2,500 to \$3,000; authority for appropriation—retroactive. The state auditor shall receive an annual salary of three thousand dollars, and the said three thousand dollars shall be appropriated each year beginning with the year nineteen hundred seventeen