

# MAINE STATE LEGISLATURE

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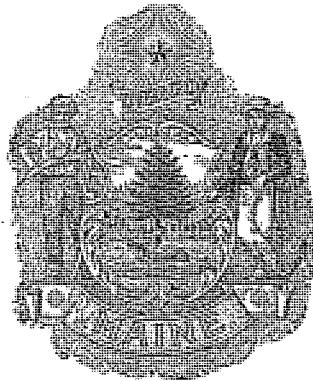
SIXTH REVISION

THE  
REVISED STATUTES

OF THE

STATE OF MAINE

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By the Authority of the Legislature

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## CHAPTER 147.

### State Board of Charities and Corrections.

**Sec. 1. Appointment, qualification and tenure; officers; rules governing state institutions must be approved by the board.** 1913, c. 196, § 1. The state board of charities and corrections, as heretofore established, shall consist of five persons, at least one of whom shall be a woman, appointed by the governor, with the advice and consent of the council, for terms of five years. Any vacancy occurring during a term shall be filled in like manner for the remainder of the unexpired term. The board shall be non-partisan politically. The members shall serve without compensation, except their traveling and other necessary expenses, which shall be audited by the state auditor, and paid by the treasurer of state upon the certificate of the state auditor as provided by law. 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 board, and no superintendent, agent or other under-official shall have any discretionary power to change such rules and regulations.

**Sec. 2. Appointment and qualification of secretary; accounts of secretary, approved and audited; expenses of board and salary and expense of secretary, apportioned.** 1913, c. 196, §§ 2, 13. The board shall appoint a secretary, not of their own number, who shall have been a resident of the state for at least five years, and shall be qualified by special knowledge and experience in charitable, correctional and institutional work; he shall receive for his services, in addition to his traveling and other necessary expenses, such salary as may be agreed upon by the board, with the approval of the governor and council. The accounts of such secretary for his traveling 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. 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 chapter, 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.

**Sec. 3. Duties of the board; officers of institutions shall furnish statistics and information; board may prescribe forms for reports and make investigations; when authorized by governor and council may summon witnesses; report.** 1913, c. 196, § 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; 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 chapter. 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 the consent of the governor, may at any time make an investigation of the management of any charitable, reformatory, penal or other institution subject to its supervision; and when authorized by the governor and council, the board shall in making such investigation have authority 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 authority to administer oaths and affirmations; 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.

**Sec. 4. Visitatorial duties; on request board shall give information to governor and council, to legislature or to committee thereof.** 1913, c. 196, § 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 an 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; the board as a whole shall, when-

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ever 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 chapter 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.

**Sec. 5. License for solicitation of charitable funds.** 1915, c. 9, §§ 1, 2. No person, firm, corporation or association shall solicit funds for charitable or benevolent purposes outside of the municipality where such person resides or where such firm, corporation or association has its place of business, without having in full force a written license therefor from the state board of charities and corrections; provided, that this section shall not apply to any person or organization already under the supervision of said board on the third day of July, nineteen hundred and fifteen, by virtue of the provisions of this chapter. No license shall be granted for a term exceeding one year. It shall state the name of the licensee, his residence or place of business, and for what purpose the funds are to be solicited. The board shall grant such license whenever it shall be shown to their satisfaction that the person or organization requesting the license is reputable and responsible and has suitable facilities for applying the funds to the purpose for which they are to be solicited, and that the records of such funds and the purpose for which they are used will be properly and accurately kept. Such license shall be furnished to the licensee without fee or charge, and may be revoked by the board whenever in its discretion it seems for the best interest of the public so to do.

**Sec. 6. Board shall advise as to organization of institutions.** 1913, c. 196, § 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.

**Sec. 7. Plans for new jails, etc., shall be submitted to the board.** 1913, c. 196, § 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 board, shall be submitted to the board for criticism and suggestions before the same are accepted.

**Sec. 8. Overseers of the poor, etc., shall keep records and make annual returns to the board; board shall make annual return with tabulation of statistics.** 1913, c. 196, § 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 travelers 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 and corrections. 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.

**Sec. 9. Report of board.** 1913, c. 196, § 9. The board shall annually, on or before 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 report 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.

**Sec. 10. Members of board or its secretary shall not be interested in any contracts.** 1913, c. 196, § 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 chapter 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.

**Sec. 11. Failure to perform imposed duties, punished.** 1913, c. 196, § 11. 1915, c. 9, § 3. Whoever violates any provision of section five, or wilfully fails, neglects or refuses to perform any of the duties imposed upon him by the provisions of this chapter, shall be punished by fine of not more than five hundred dollars, or by imprisonment for not more than six months.

**Sec. 12. Attorney-general shall furnish legal assistance.** 1913, c. 196, § 12. The attorney-general and the several county attorneys within their respective counties, when requested, shall furnish such legal assistance, counsel or advice as the board may require in the discharge of its duties.

**Note.** Children in charge of state board of charities and corrections, c. 64, § 56.