

MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

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CHAPTER 157.

Department of Public Welfare.

Sec. 1. Appointment, qualification, and tenure of commissioners, officers; rules governing state institutions must be approved by the department. R. S. c. 147, § 1. 1925, c. 14. 1927, c. 48. 1929, c. 275, § 1. The commissioners of the department of public welfare 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 upon the expiration of the terms of the present members. Any vacancy occurring during a term shall be filled in like manner for the remainder of the unexpired term. They are designated in this chapter as the "commission" or the "department." The commission shall be non-partisan politically. Regular meetings of the commission shall be held quarterly, or oftener, if required, and a suitable room shall be provided in the state house for its use. The commission shall elect from their number a president, who shall hold office for such term as shall be fixed by the commission, shall appoint a secretary and agents, all subject to approval and removal by the governor and council, 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 commission 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 and salary of secretary, how paid. R. S. c. 147, § 2. 1917, c. 80, § 1. 1929, c. 275, § 2. The commission 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 determined by law. The accounts of such secretary for his traveling and other necessary expenses shall be approved by the commission, audited by the state auditor and, together with the salary of such secretary, shall be paid out of the state treasury upon certificate of the state auditor.

Sec. 3. Duties of the commissioners; officers of institutions to furnish statistics and information; commissioners may prescribe forms for reports and make investigations; when authorized by governor and council may summon witnesses; report. R. S. c. 147, § 3. The commission 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 commission, be included in the

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list of institutions under the inspection of said commission 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 commission, 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 commission or its secretary such information and statistics as may be demanded. The commission 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 commission 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 commission 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 commission, and shall have authority to administer oaths and affirmations; the report of such investigations, with the testimony and conclusions of the commission thereon, shall be made to the governor and council and may be submitted by them with their recommendations, to the legislature.

Sec. 4. Visitation duties; on request commission to give information to governor and council, to legislature or to committee thereof. R. S. c. 147, § 4. Each institution under the inspection of the commission shall be visited at least once each year by a member of the commission or by the secretary of the commission or an authorized agent employed by the commission 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 commission 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 commission shall deem best. The commission 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 commission shall deem it necessary, information and advice with reference to any charitable or correctional institutions which the commission 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 commission 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. R. S. c. 147, § 5. 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 department of public welfare; provided, that this section shall not apply to any person or organ-

ization already under the supervision of said department 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 commission 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 commission whenever in its discretion it seems for the best interest of the public so to do.

Sec. 6. Commission to advise as to organization of institutions. R. S. c. 147, § 6. The commission shall give their 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 department.

Sec. 7. Plans for new jails, etc., to be submitted to the commission. R. S. c. 147, § 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 department, shall be submitted to the commission for criticism and suggestions before the same are accepted.

Sec. 8. Overseers of the poor, etc., to keep records and make annual returns to the department; department to make annual returns with tabulation of statistics. R. S. c. 147, § 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 department of public welfare. From the returns made by the overseers of the poor or other officers responsible for the administration of pauper funds the commissioners shall prepare and print in their annual report a complete statement and table of all statistics and information thus obtained.

Sec. 9. Report of commissioners. R. S. c. 147, § 9. 1917, c. 80, § 2. The commissioners shall in January, April, July, and October of each year make a quarterly report to the governor, showing the actual condition of the various institutions under their supervision which have been inspected by the members of the commission, their secretary or other agents during the preceding three months with suggestions and recommendations as they may deem necessary and advisable, and shall publish a quarterly bulletin, in which shall be included a summary of such reports and recommendations. The commission shall biennially on or before the first day of January in each year in which the legislature convenes, prepare and print, for the use of the legislature, a full and complete financial and statistical report of the various institutions under its supervision, and a statement of all expenses incurred and all officers and agents employed, for the two-year period ending on the thirtieth day of June preceding, with such suggestions and recommendations as it may deem necessary or advisable.

Sec. 10. Commission or secretary not to be interested in any contracts. R. S. c. 147, § 10. No member of said commission or their 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 said commission.

Sec. 11. Failure to perform imposed duties; penalty. R. S. c. 147, § 11. 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 a fine of not more than five hundred dollars, or by imprisonment for not more than six months.

Sec. 12. Attorney-general to furnish legal assistance. R. S. c. 147, § 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 commission may require in the discharge of its duties.

See c. 2, §§ 122-125.

CHAPTER 158.

The State Pension Law.

- Sections 1-9 Pensions for Soldiers and Sailors.
- Sections 10-19 Pensions for the Blind.
- Sections 20-23 Pensions for Employees of the State.

Pensions for Soldiers and Sailors.

Sec. 1. Pensions to soldiers and sailors. R. S. c. 148, § 1. 1919, c. 110, § 1. 1925, c. 119, § 1. Any person who has served by enlistment in the army or navy of the United States in the war of eighteen hundred sixty-one, on the quota of Maine, and any person not on the quota of Maine, who has served in the army or navy of the United States in said war, and at time of making application for pension shall have been a resident of the state at least five years; also any person who has served by enlistment in the army or navy of the United States in the war with Spain, on the quota of Maine, and any person whether on or not on the quota of Maine, who has served in the army or navy of the United States in the war with Spain or the Philippine insurrection at any time prior to the fourth day of July, nineteen hundred two, and at time of making application for pension shall have been a resident of the state at least five years, and who is unable from his own resources and the United States pension to obtain a livelihood for himself and those dependent upon him, shall be entitled to a pension from the state, not exceeding twelve dollars a month, provided, he has been honorably discharged from said service. No such pension shall be paid by this state to persons residing in other states.

Sec. 2. Pensions to widow, orphan children, and dependent relatives. R. S. c. 148, § 2. 1919, c. 110, § 2. 1925, c. 119, § 2. The widow during her widowhood, children under sixteen years of age, minor children over sixteen years of age who are partially or totally disabled by physical or mental infirmity, or the son, daughter, parent, or sister of any soldier or seaman deceased, who