

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 401

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*House of Representatives, Feb. 25, 1915.*

*Reported by Mr. Wescott from Committee on Labor and ordered printed under joint rules.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIFTEEN

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AN ACT to amend Sections four, seven and eight, and adding  
Section twelve to Chapter sixty-five of the Public Laws of  
nineteen hundred and eleven, relating to the Department of  
Labor and Industry.

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

Section four of Chapter sixty-five of the Public Laws of  
2 Maine for the year nineteen hundred and eleven be and the  
3 same is hereby amended by striking out the word "allow"  
4 and substituting for and instead thereof the words 'admit or  
5 shall delay:' by striking out the word "to" after the word  
6 "department" and substituting for and instead thereof the  
7 word 'in:' and by striking out the word "enter," after the

8 word "so" and substituting for and instead thereof the word  
9 'entering,' so that said section as amended shall read as fol-  
10 lows:

'Sect. 4. The commissioner as state factory inspector and  
12 any authorized agent of the labor department shall have  
13 power to enter any factory or mill, workshop, private works  
14 or state institutions which have shops or factories, when  
15 the same are open or in operation, for the purpose of  
16 gathering facts and statistics such as are contemplated by  
17 this act, and to examine into the methods of protection  
18 from danger to employes and the sanitary conditions in and  
19 around such buildings and places, and to make a record  
20 thereof of such inspection. And if any person, or persons,  
21 shall refuse to admit or shall delay the commissioner, or  
22 any authorized agent of the labor department, in so enter-  
23 ing, or shall refuse to give the information so desired by  
24 said commissioner or authorized agent, then said person or  
25 persons, shall be deemed guilty of a misdemeanor, and,  
26 upon conviction thereof, before any court of competent ju-  
27 risdiction, shall be punished by a fine not to exceed one hun-  
28 dred dollars, or by imprisonment for not more than ninety  
29 days, or both such fine and imprisonment in the discretion  
30 of the court. If the commissioner as state factory inspector,  
31 or any authorized agent of the department of labor, shall  
32 find upon such inspection that the heating, lighting, venti-  
33 lation or sanitary arrangement of any workshops or factories  
34 is such as to be injurious to the health of the persons em-

35 ployed or residing therein or that the means of egress in  
36 case of fire or other disaster are not sufficient, or that the  
37 belting, shafting, gearing, elevators, drums, saws, cogs and  
38 machinery in such workshops and factories are located or  
39 are in a condition so as to be dangerous to employes and  
40 not sufficiently guarded, or that vats, pans, or any other  
41 structures, filled with molten metal or hot liquids, are not  
42 surrounded with proper safeguards for preventing acci-  
43 dents or injury to those employed at or near them, he shall  
44 notify, in writing, the owner, proprietor or agent of such  
45 workshops or factories to make, within thirty days, the  
46 alterations or additions by him deemed necessary for the  
47 safety and protection of the employes; and if such altera-  
48 tions or additions are not made within thirty days from the  
49 date of such written notice, or within such time as said  
50 alterations or additions can be made with proper diligence  
51 upon the part of such proprietors, owners or agents, said  
52 proprietors, owners or agents so notified shall be deemed  
53 guilty of a misdemeanor, and upon complaint of the com-  
54 missioner as state factory inspector before a court of  
55 competent jurisdiction, and upon conviction thereof, shall be  
56 fined in a sum not less than twenty-five dollars, nor more  
57 than two hundred dollars, or by imprisonment not more  
58 than thirty days, or by both such fine and imprisonment.'

Section seven of Chapter sixty-five of the Public Laws of  
60 Maine for the year nineteen hundred and eleven be and the  
61 same is hereby amended by striking out the word "three"

62 and substituting for and instead thereof the word 'five,' so  
63 that said section as amended shall read as follows:

'Sect. 7. In addition to the deputy commissioner pro-  
65 vided for by section one of this act, the commissioner shall  
66 appoint a stenographer for the department of labor; he  
67 shall also employ a woman factory inspector, and he may  
68 also employ special agents and **such other assistants**, as ma-  
69 be necessary in the discharge of the **official duties** of said  
70 department of labor; such special agents and other assist-  
71 ants shall be paid for the services rendered such compen-  
72 sation as the commissioner may deem proper, but no such  
73 agents or assistants shall be paid more than five dollars per  
74 day in addition to necessary traveling expenses, said agents  
75 and assistants shall work under the supervision and direc-  
76 tion of the commissioner of labor.'

Section eight of Chapter sixty-five of the Public Laws of  
78 Maine for the year nineteen hundred and eleven be and  
79 the same is hereby amended by striking out the words  
80 "nine," "total" and "eight" and substituting for and instead  
81 thereof the words 'fourteen' and 'seven,' so that said section  
82 as amended shall read as follows:

'Sect. 8. The salary of said commissioner shall be six-  
84 teen hundred dollars per year, and that of his deputy, thir-  
85 teen hundred dollars per year, together with all necessary  
86 traveling expenses. The salary of the stenographer shall be  
87 six hundred dollars per year. All such salaries and other  
88 expenses provided for in this act shall be audited the same

89 as salaries and expenses of other state departments and  
90 shall be payable upon proper vouchers certified by the com-  
91 missioner. Provided, that the amount thereof shall not ex-  
92 ceed for any two years the sum of fourteen thousand dol-  
93 lars, making the annual appropriation for this department  
94 of labor for all purposes, exclusive of the salaries provided  
95 for by this section, seven thousand dollars. Provided, how-  
96 ever, that any unexpended balance to the credit of the de-  
97 partment of labor at the close of any year in which the leg-  
98 islature regularly meets shall be carried over and made  
99 available for use in the following year.'

Chapter sixty-five of the Public Laws of the State of Maine  
101 for the year nineteen hundred and eleven, is amended by  
102 adding thereto the following section :

'Sect. 12. All fines or penalties provided for by the terms  
104 of this act may be recovered or enforced by complaint or  
105 indictment, and in all prosecutions under this chapter and  
106 amendments and additions thereto, trial justices and judges  
107 of the municipal and police courts within their counties  
108 shall have by complaint original and concurrent jurisdic-  
109 tion with the supreme judicial and superior courts.'



STATEMENT OF FACTS ACCOMPANYING AMEND-  
MENT TO CHAPTER 65, PUBLIC LAWS OF 1911.

*To the Honorable Senate and House of Representatives of the  
State of Maine in Legislature Assembled.*

GENTLEMEN :—

The Department of Labor and Industry requests that annual appropriation made for its operation, exclusive of the salaries of the Commissioner, Deputy Commissioner and stenographer, be in the future placed at \$7,000 a year instead of \$4,500 as at present, in order that the Department may properly perform the duties set for it under the statutes and that the people of the State of Maine may get the full benefit of the beneficent labor laws that have been enacted.

The Department of Labor and Industry was created in 1911 and since that time a number of duties have been added to those originally planned for the Department. It is the duty of the Department to collect statistical details relating to all departments of labor and industrial pursuits in the state; to trade unions and other labor organizations and their effect upon labor and capital; to the number and character of industrial accidents and their effect upon the injured, their dependent relatives and upon the general public; to other matters relating to the commercial, industrial, social, educational, moral and sanitary conditions prevailing within the state, including the names of firms, companies or corporations, where located, the kind of goods produced or manufactured, the time operated each year, the number of employes classified according to age and sex, and the daily and average wages paid each employe; and the exploitation of such other subjects as will tend to promote the permanent prosperity of the respective industries of the state.

In addition to the large amount of statistical work incumbent upon the above duties as ordered by law the statute provides that it shall be the duty of the commissioner of labor to cause to be enforced all laws regulating the employment of children, minors and women; all laws established for the protection of health, lives and limbs of operators in workshops and factories,



on railroads and other places; all laws regulating the payment of wages, and all laws enacted for the protection of the working classes. This work cannot be done in the office. We are in receipt of a great number of complaints that require investigation and some of the laws are very difficult to enforce, requiring much study and careful consideration.

With the funds available we are able to have but two inspectors, the Deputy Commissioner and the Woman Factory Inspector, and at that the latter can work but part of the time. New Hampshire, a less wealthy state, has four inspectors engaged in the enforcement of the child labor laws alone. But a minor part of our time and money can be devoted to this work under present conditions.

We wish to call your attention that Maine has a large number of mechanical and manufacturing establishments where approximately 100,000 people are employed. The state has made laws for their protection and welfare but on account of a lack of funds to employ more inspectors many of the manufacturing establishments of the state and the people who are employed therein have never received the benefit of these laws.

We cannot escape from our fixed duties without disobeying the law and at the same time have not a sufficient appropriation to properly perform the work that has been steadily growing since the establishment of this department without a similar increase in our appropriation. With the increase asked we could carry on the duties of the department in a more satisfactory manner and greatly increase the usefulness and benefit of the department.