

MAINE STATE LEGISLATURE

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STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

April 15, 1949

To Marion E. Martin, Commissioner of Labor and Industry
Re: Section 17, Chapter 25

I have your memo requesting a ruling whether Section 17 of Chapter 25, R. S. 1944, would allow youths of fifteen years or under to pile peat moss on drying racks. You state that this is merely a process of placing moss blocks from the ground on to wooden drying racks.

You further state that the Federal Wage and Hour Division has ruled that the drying of sea moss is part of processing and is prohibited work for minors under 16, but call my attention to the fact that your department is, of course, not governed by the Federal Wage and Hour Division for interpretation of the Federal Law as it applies to sea moss drying.

You further state that the process of cutting peat and the conveying of same to the loading places is a mechanical one, but that in view of the weight of the peat moss blocks this does not seem to you to be desirable work for minors under fifteen.

Section 17 as amended by P. L. 1945 and P. L. 1947 provides that no child under fifteen years of age shall be suffered to work in, about, or in connection with any manufacturing or mechanical establishment, laundry, bakery, bowling alley, or pool room, provided that this section shall not apply to minors in public and approved private schools wherein mechanical equipment is installed and operated primarily for purposes of instruction. This section also provides that no minor under 16 shall be employed in any theatre or moving picture house as usher or attendant or in or about a projection booth.

I wrote you on April 30, 1948, on the subject of minors raking and harvesting sea moss, which letter was based on data which you furnished to my office, including a copy of the federal regulations in regard to the employment of minors.

It is my opinion that the provisions of Section 17 of Chapter 25, R. S., with amendments thereto, do not contain any prohibition relating to the employment of children of fifteen years of age or under to pile peat moss on drying racks.

RALPH W. FARRIS
Attorney General

April 15, 1949

To H. A. Ladd, Commissioner of Education

Referring to your memo of March 15th about which I talked with you some time ago, concerning the interpretation of Chapter 37, Section 201, as amended:

You state that a teacher with more than two years of training, but less than three years, is under contract for a salary at the legal minimum of \$1500. In February of the contract year she completes the requirements for three years of training. Under the provisions of Section 201 of Chapter 37 as amended by the Public Laws of 1947, you ask whether the contractual salary remains in force for the life of the agreement, or whether the employing agency is required to increase her salary to the legal minimum, \$1600, as of the date of qualification for the three-year classification.