

# MAINE STATE LEGISLATURE

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20

June 10, 1955

To Marion Martin, Commissioner of Labor and Industry  
Re: Inspection of Lumber Camps

We have your memo quoting portions of Sections 2 and 4 of Chapter 30 of the Revised Statutes of 1954 and asking,

"Do these two sections, read together, impose on us a responsibility for inspection of the sanitary conditions and the gathering of information about age and sex of workers, and the daily and average wage paid to employees in lumber camps?"

Section 2 referred to above spells out the primary duties imposed upon the department, which appear to be mandatory in nature, and provides that the department shall collect, assort and arrange statistical details relating to all departments of labor and industrial pursuits in the State, including matters relating to sanitary conditions prevailing within the State and the number of employees, classified according to age and sex, among many other required statistics.

It will be noted that the requirements of Section 2 relate to State-wide gathering of statistics. In order to accomplish this purpose, Section 4 provides that the Commissioner or agent may enter the various factories, workshops, etc., for the purpose of gathering facts, and the section further provides that the Commissioner may examine the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places.

In answer to your question, it appears to this office that lumber camps would fall within the first clause of Section 2, which requires the collection of statistical details relating to all departments of labor and industrial pursuits. In our opinion, the apparent permissive character contained in Section 4 as to the power of the Commission to examine into sanitary conditions in and around buildings and places does not weaken the mandatory character of the duties defined in Section 2 and that, as a result, lumber camps would fall within the categories to be examined by you.

There must be reasons why you ask this particular question, which you did not convey to us in your request for an opinion. In so far as we can imagine what these reasons are, we would feel that they would have nothing to do with the legal requirement for including camps as one phase of labor to be considered by you in gathering your statistics.

James Glynn Frost  
Deputy Attorney General

jgf/c