

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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## Legislative Document

No. 707

H. P. 525

House of Representatives, February 8, 1973

Referred to Committee on Labor. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Goodwin of Bath.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT Relating to Employment of Women.

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

**Sec. 1. R. S., T. 26, § 701, repealed and replaced.** Section 701 of Title 26 of the Revised Statutes, as amended by section 13 of chapter 620 of the public laws of 1971, is repealed and the following enacted in place thereof:

**§ 701. Posting of notice of labor laws**

Every employer shall post and keep posted in a place accessible to his employees, a printed notice stating the labor laws regulating the employment of minors, time of payment of wages, safety and health of employees and such other laws as may be applicable. The printed form of such notice shall be furnished by the Bureau of Labor and Industry.

**Sec. 2. R. S., T. 26, § 702, amended.** The first sentence and the last sentence, as amended by section 13 of chapter 620 of the public laws of 1971, of section 702 of Title 26 of the Revised Statutes are amended to read as follows:

Every employer shall keep a time book or record for ~~every female and every male~~ minor under 16 years of age employed in any establishment or occupation ~~named in sections 731 and 733~~ except agriculture or household work, stating the number of hours worked by each ~~female and each male~~ minor under 16 years of age on each day of the week.

Any employer who fails to keep the record required by this section or makes any false entry therein, or refuses to exhibit such time book or record or makes any false statement to the director, his deputy or any authorized agent

of the bureau in reply to any question put in carrying out sections ~~701~~ 771 to ~~737~~ 776 shall be liable for a violation thereof.

**Sec. 3. R. S., T. 26, § 703, repealed.** Section 703 of Title 26 of the Revised Statutes is repealed as follows:

**Sec. ~~703~~.** ~~Exemptions for perishable goods.~~

~~Nothing in sections 701, 702, 731, to 734, 736, 737 and 778 shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto~~

**Sec. 4. R. S., T. 26, §§ 731 - 738, repealed.** Sections 731 to 738 of Title 26 of the Revised Statutes, as amended, are repealed.

**Sec. 5. R. S., T. 26, § 781, amended.** Section 781 of Title 26 of the Revised Statutes is amended to read as follows:

**§ 781. Penalties; employers**

Any person, firm or corporation, agent or manager of any firm or corporation, who, either for himself or for some firm or corporation, or by himself, or through his agents, servants or foremen, employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of sections 771 to 780, or otherwise fails to comply with any of the provisions of sections 771 to 780, or otherwise fails to comply with any of the provisions of said sections, or who fails to post the notice required by section 701, or who fails to keep the time book or record required by section 702, shall be punished by a fine of not less than \$25 nor more than \$200.

## STATEMENT OF FACT

The Federal Civil Rights Act provides that there shall be no discrimination in employment on account of sex. Following a number of court cases involving a possible conflict between state laws regulating employment of females and the Civil Rights Act, it has been determined by the justice department that such a conflict does exist where state laws apply to the employment of women only and not to the employment of men. This bill will repeal all such laws as they apply to Maine women, retaining the child labor record-keeping and notice-posting provisions.

The sections repealed are those which limit the daily and weekly hours of employment, require rest periods, and seating arrangements.