

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 73

House of Representatives, Feb. 1, 1911.

Introduced by Mr. Strickland of Bangor, who moved its reference to the Committee on Legal Affairs. By him tabled for printing pending reference to a committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT in relation to Employment Agencies.

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

Section 1. No person shall open, keep or carry on any
2 Employment Agency in the State of Maine, unless every
3 such person shall procure a license therefor from the muni-
4 cipal officers of the town where such employment agency
5 is to be located. Any person who shall open or conduct any
6 such agency without first procuring such license shall be
7 guilty of a misdemeanor and shall be punishable by a fine of
8 not less than fifty dollars (\$50.00) and not exceeding three
9 hundred dollars (\$300.00), or upon failure to pay such fine
10 by imprisonment for a period not exceeding six months and

11 not less than one month, or both, at the discretion of the
12 Court. Such license shall be granted upon the payment to
13 said municipal officers annually of a fee of fifty dollars for
14 a male employment agency and the sum of ten dollars for
15 a female employment agency. Such license shall be signed
16 by a majority of the said municipal officers and shall con-
17 tinue in force from May first to May first of the succeeding
18 year.

Every license so granted shall contain the name of the per-
20 son licensed, a designation of the city, street and number
21 of the house or building in which the person licensed is au-
22 thorized to carry on the said employment agency and the
23 number and date of such license. Such license shall not be
24 valid to protect any other place than that designated in the
25 license, unless consent is first obtained from the municipal
26 officers and until the written consent of the surety or sure-
27 ties on the bond required to be filed by section two of this
28 Act to such transfer, be filed with the original bond. No
29 such agency shall be located on premises where intoxicating
30 liquors are sold or dispensed contrary to law, or shall any
31 license be issued to any person, directly or indirectly engaged
32 or interested in the sale of intoxicating liquors.

The application for such license shall be filed with the
34 municipal officers at least one week prior to the date of hear-
35 ing upon the said application and the said municipal officers
36 shall act upon any application so made within thirty days
37 from the date of the filing of said application. Such appli-

38 cation shall be accompanied by the affidavits of two persons
39 who have known the applicant (or the chief officer thereof,
40 if a corporation) for two years at least, stating that the
41 applicant is of good moral character and a resident of the
42 State and has been such for at least five years prior to the
43 date of such application.

Sect. 2. The municipal officers shall require such person
2 to file with said application for a license a bond in due form
3 in favor of the inhabitants of the city or town wherein such
4 application is made in the penal sum of two thousand dol-
5 lars for a male agency, and the penal sum of five hundred
6 dollars for a female agency, with one or more sureties, to
7 be approved by said municipal officers and conditioned that
8 the obligor will conform to and not violate any of the
9 duties, terms, conditions, provisions or requirements of this
10 Act.

If any person shall be aggrieved by the misconduct of any
12 such licensed person, such person may maintain an action in
13 his own name upon the bond of said employment agency, in
14 any court having jurisdiction.

Sect. 3. It shall be the duty of every such licensed person
2 to keep a register in which shall be entered in the English
3 language the date of every accepted application for employ-
4 ment, name and address of the applicant to whom employ-
5 ment is offered or promised, written name and address of
6 the person to whom applicant is sent for employment, and
7 of the fee received.

The aforesaid register of applicants for employment shall
9 be open during office hours to inspection by any one or more
10 of said municipal officers, their qualified agents, or any police
11 officer when on duty.

No such licensed person, or his employees, shall knowingly
13 make any false entries in such register.

Sect. 4. Every licensed person shall give to each appli-
2 cant for employment from whom a fee or other valuable
3 thing shall be received for procuring such employment,
4 which fee or other valuable thing shall be and in no case
5 exceed the sum of one dollar, said fee being in full com-
6 pensation for all service of said licensed person, a receipt in
7 which shall be stated the name of the applicant, the amount
8 of the fee or other valuable thing, the date, the name or na-
9 ture of the employment or situation to be procured, and the
10 name and address of the person, firm or corporation, to
11 whom the applicant is referred or sent for work or employ-
12 ment. If the applicant does not obtain a situation, or em-
13 ployment through the agency of such licensed person within
14 six days after the application as aforesaid, said licensed per-
15 son shall return to said applicant on demand the amount of
16 the fee or other valuable thing so paid and delivered by said
17 applicant to said licensed person, provided that said per-
18 son, seeking employment through such agency, does not
19 break any agreement he may make with said licensed per-
20 son, relative to time of entering into the employment sought
21 for. Any licensed person shall not by himself, agent, or

22 otherwise, induce or attempt to induce any employee to leave
23 his employment with a view to obtaining other employment
24 through such agency.

Sect. 5. No such licensed person shall send, or cause to be
2 sent, any female help or servants, or inmate or performer,
3 to enter any questionable place or place of bad repute, house
4 of ill fame, or assignation house, or to any house or place
5 of amusement kept for immoral purposes, or place resorted
6 to for the purpose of prostitution, vice, or gambling house,
7 the character of which such licensed person knows, either
8 actually or by reputation.

No such licensed person shall permit questionable char-
10 acters, prostitutes, gamblers, intoxicated persons, or pro-
11 curers to frequent such agency knowingly. No such li-
12 censed person shall accept any application for employment
13 made by or on behalf of any child, or shall place or assist
14 in placing any such child in any employment whatever in
15 violation of law.

Sect. 6. The enforcement of this Act shall be entrusted
2 to the municipal officers during their term of office and until
3 the qualification of their successor or successors.

Complaints of the violation of any of the provisions of this
5 Act shall be made orally or in writing to said Municipal of-
6 ficers and reasonable notice thereof, not less than one day,
7 shall be given in writing to such licensed person by serving
8 upon him concise statements of the facts constituting the
9 complaint, and the hearing shall be had before said muni-

10 cipal officers at such time and place as they may designate,
11 within one week from the date of the service of such com-
12 plaint upon such licensed person, and no adjournment shall
13 be taken for a period of longer than one week. Reasonable
14 notice of the time and place of hearing shall be given in
15 writing to such licensed person complained against. The re-
16 sult of any such hearing shall be rendered within one week
17 from the date of hearing. The municipal officers may re-
18 fuse to issue and may revoke any license for any good cause
19 shown within the meaning and purpose of this Act, and
20 when it is shown to the satisfaction of a majority of said
21 municipal officers that any person is guilty of any immoral,
22 fraudulent or illegal act or conduct in connection with the
23 conducting of said business, it shall be the duty of said mu-
24 nicipal officers to revoke the license of such person, but no-
25 tice of such charges shall be presented in writing signed by
26 the party making the same and reasonable opportunity shall
27 be given such licensed person to defend himself in the man-
28 ner and form heretofore provided in this Section of this Act.
29 Whenever said municipal officers shall refuse to issue or
30 shall revoke any license of any employment agency, said de-
31 cision shall be final. Whenever for any cause such license
32 shall be revoked, said revocation shall take effect at once
33 after said revocation is announced, and such revocation shall
34 be considered good cause for refusing to issue another li-
35 cense to said person or his representative, or to any person
36 with whom he is to be associated in the business of furnish-

37 ing employment or help. The violation of any of the pro-
38 visions of this Act except as is otherwise provided shall be
39 punishable by a fine not exceeding twenty-five dollars with
40 costs of prosecution, and any city magistrate, judge of a
41 Municipal Court, trial justice or any inferior magistrate hav-
42 ing original jurisdiction in criminal cases, shall have power
43 to impose said fine and costs, and in default of payment to
44 commit to the County Jail or house of correction the person
45 so offending for a period not exceeding thirty days. Any
46 one of the municipal officers may institute criminal proceed-
47 ings to enforce the provisions of this Act before any court
48 of competent jurisdiction.

Sect. 7. All money paid to said municipal officers by rea-
2 son of any of the provisions of this Act shall be paid to the
3 town or city treasurer for the use of said city or town.

Sect. 8. Said licensed person shall exhibit in a public and
2 conspicuous place in his place of business or office, the li-
3 cense which he has obtained from said municipal officers of
4 the city or town wherein said agency is established.

Sect. 9. The term "person" in this Act shall include per-
2 sons, company, society, association, firm or corporation and
3 the term "employment agency" shall include the business of
4 keeping an intelligence office, employment bureaus or other
5 agencies by procuring work or employment for persons seek-
6 ing employment, or for acting as agents for procuring such
7 work or employment where a fee or other valuable thing is
8 exacted, charged or received, or for procuring or assisting

9 to procure employment, work or situation of any kind or for
10 procuring or providing hereby for any person.

Sect. 10. This act shall not apply to the employment of
2 seamen or shall the provisions of any section in this act ap-
3 ply to teachers' agencies, or charitable institutions.

Sect. 11. All acts or parts of acts inconsistent herewith
2 are hereby repealed.

Sect. 12. This act shall take effect when approved.

*License fees and amount of bond required for securing employ-
ment office licenses in different states of the union:*

City, or state.	License fee.	Amt. of bond required.
Ill. Chicago	\$50 00	\$500 00
New York	25 00	1,000 00
Minnesota	100 00	2,000 00
Montana, Butte.	100 00	5,000 00
California	300 00	5,000 00
Kansas City	200 00	2,500 00
St. Louis, Mo.	300 00	2,000 00
Wisconsin	100 00	1,000 00
Montreal, Que.	50 00	1,000 00
Indiana	25 00	1,000 00
Pennsylvania	50 00	1,000 00