

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE NO. 48

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*House of Representatives, Feb. 2, 1915.*

*Ordered, That five hundred copies be printed and that the same be referred to the Committee on Labor.*

*Committee on Reference.*

*Presented by Mr. Wescott of Bluehill.*

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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  
3 the same is hereby amended by striking out the word "allow"  
4 and substituting for and instead thereof the words 'admit  
5 to or delay,' so that said section as amended shall read as  
6 follows:

‘Sect. 4. The commissioner as state factory inspector and  
8 any authorized agent of the labor department shall have  
9 power to enter any factory or mill, workshop, private works  
10 or state institutions which have shops or factories, when  
11 the same are open or in operation, for the purpose of gath-  
12 ering facts and statistics such as are contemplated by this  
13 act, and to examine into the methods of protection from  
14 danger to employees and the sanitary conditions in and  
15 around such buildings and places, and to make a record  
16 thereof of such inspection. And if any person, or per-  
17 sons, shall refuse to admit to or delay the commissioner,  
18 or any authorized agent of the labor department, to so  
19 enter, or shall refuse to give the information so desired  
20 by said commissioner or authorized agent, then said person  
21 or persons, shall be deemed guilty of a misdemeanor, and,  
22 upon conviction thereof, before any court of competent  
23 jurisdiction, shall be punished by a fine not to exceed one  
24 hundred dollars, or by imprisonment for not more than  
25 ninety days, or both such fine and imprisonment in the  
26 discretion of the court. If the commissioner as state fac-  
27 tory inspector, or any authorized agent of the department  
28 of labor, shall find upon such inspection that the heating,  
29 lighting, ventilation or sanitary arrangement of any work-  
30 shops or factories is such as to be injurious to the health  
31 of the persons employed or residing therein or that the  
32 means of egress in case of fire or other disaster are not  
33 sufficient, or that the belting, shafting, gearing, elevators,

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

Section seven of chapter sixty-five of the public laws of  
57 Maine for the year nineteen hundred and eleven be and the  
58 same is hereby amended by striking out the word "three"  
59 and substituting for and instead thereof the word 'five,' so  
60 that said section as amended shall read as follows:

‘Sect. 7. In addition to the deputy commissioner provided for by section one of this act, the commissioner shall appoint a stenographer for the department of labor; he shall also employ a woman factory inspector, and he may also employ special agents and such other assistants, as may be necessary in the discharge of the official duties of said department of labor; such special agents and other assistants, shall be paid for the services rendered such compensation as the commissioner may deem proper, but no such agents or assistants shall be paid more than five dollars per day in addition to necessary traveling expenses, said agents and assistants shall work under the supervision and direction of the commissioner of labor.’

Section eight of chapter sixty-five of the public laws of Maine for the year nineteen hundred and eleven be and the same is hereby amended by striking out the words “nine,” “total” and “eight” and substituting for and instead thereof the words ‘fourteen’ and ‘seven,’ so that said section as amended shall read as follows:

‘Sect. 8. The salary of said commissioner shall be sixteen hundred dollars per year, and that of his deputy, thirteen hundred dollars per year, together with all necessary traveling expenses. The salary of the stenographer shall be six hundred dollars per year. All such salaries and other expenses provided for in this act, shall be audited the same as salaries and expenses of other state departments and shall be payable upon proper vouchers certified by the commis-

88 sioner. Provided, that the amount thereof, shall not exceed  
89 for any two years the sum of fourteen thousand dollars,  
90 making the annual appropriation for this department of  
91 labor for all purposes, exclusive of the salaries provided for  
92 by this section, seven thousand dollars. Provided, however,  
93 that any unexpended balance to the credit of the department  
94 of labor at the close of any year in which the legislature reg-  
95 ularly meets shall be carried over and made available for  
96 use in the following year.'

Chapter sixty-five of the public laws of the State of Maine  
98 for the year nineteen hundred and eleven, is amended by  
99 adding thereto the following section.

'Sect. 12. All fines or penalties provided for by the terms  
101 of this act may be recovered or enforced by complaint or  
102 indictment, and in all prosecutions under this chapter and  
103 amendments and additions thereto, trial justices and judges  
104 of the municipal and police courts within their counties  
105 shall have by complaint original and concurrent jurisdic-  
106 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 to 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 benefits of the department.