

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 913

House of Representatives, March 23, 1915.

*Reported by Mr. O'Connell from Committee on Labor and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT relative to the Employment of Minors.

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

Section 1. No child under fourteen years of age shall be
2 employed, permitted or suffered to work in, about, or in con-
3 nection with any manufacturing or mechanical establish-
4 ment. No child under fourteen years of age shall be em-
5 ployed, permitted or suffered to work at any business or
6 service, for hire, whatever during the hours that the public
7 schools of the town or city in which he resides are in ses-
8 sion.

Sect. 2. No minor between the ages of fourteen and six-
2 teen years shall be employed, permitted or suffered to work

3 in any of the aforementioned occupations unless the per-
4 son, firm or corporation employing such child procures and
5 keeps on file accessible to any truant officer, factory in-
6 spector or other authorized officer charged with the en-
7 forcement of this act, a work permit issued to said child by
8 the superintendent of schools of the city or town in which
9 the child resides, or by some person authorized by him in
10 writing. The person authorized to issue a work permit
11 shall not issue such permit until such child has demon-
12 strated his ability to read at sight and write simple sentences
13 in the English language and perform simple arithmetical
14 problems involving the fundamental processes of addition,
15 subtraction, multiplication and division, such educational
16 test to be prepared and furnished by the superintendent of
17 schools or the school committee of each city and town in
18 the state, or has furnished a certificate to that effect signed
19 by any teacher in any of the public schools of the city or
20 town in which such child resides, or by the principal of any
21 approved private school; nor until he has received, exam-
22 ined, approved and filed satisfactory evidence of age show-
23 ing that the child is fourteen years old or upwards which
24 shall consist of a certified copy of the town clerk's record
25 of the birth of said child, or a certified copy of his baptis-
26 mal record, showing the date of his birth and place of bap-
27 tism, or a passport showing the date of his birth.

The superintendent of schools, or the person authorized
29 to issue such work permit may require, in doubtful cases,

30 a certificate signed by a physician appointed by the school
31 board, or, in case there is no school physician, from the
32 medical officer of the board of health, stating that such child
33 has been examined by him, and, in his opinion, has reach-
34 ed the normal development of a child of its age, and is in
35 sufficiently sound health and physically able to perform the
36 work which he intends to do. The state factory inspector,
37 his deputy or agent, may require a similar certificate in
38 doubtful cases, of the minors employed under a work per-
39 mit.

A work permit when duly issued shall excuse such child
41 from attendance at public school; but no person shall issue
42 such permit to any minor then in or about to enter his em-
43 ployment or the employment of the firm or corporation of
44 which he is a member, stockholder, officer or employe.

Vacation permits shall be issued by the local superintend-
46 ent of schools, or by some person authorized by him in writ-
47 ing, to minors between fourteen and sixteen years of age,
48 on satisfaction of the same requirements, with the excep-
49 tion of the educational qualifications, as for the regular
50 work permits, and shall entitle their holders to work during
51 the summer school vacation. These permits shall be void
52 after the first Monday of September following. They
53 shall be known as vacation permits, shall be of different
54 color from the work permits and shall state plainly the date
55 after which they are void.

The blank work permit and other papers required in this

57 section shall be formulated by the commissioner of labor,
58 and furnished by him to the persons authorized to issue
59 work permits. Said forms shall be approved by the attor-
60 ney general.

Every work permit and every vacation permit shall be
62 made out in duplicate. All duplicates, accompanied by the
63 original papers on which such permits were issued, shall be
64 forwarded to the department of labor and industry, by the
65 officer issuing same, between the first and tenth days of each
66 month. Said department shall examine said papers and
67 promptly return them to the officer who sent them. Said
68 original papers upon which said permits were issued shall
69 be filed by said officer and preserved for such time as said
70 permits are outstanding, or until the minor arrives at the
71 age of sixteen. They shall be at all times accessible to the
72 commissioner of labor or any authorized agent of his de-
73 partment. Said officer shall return to said child all papers
74 with him filed in proof of age, upon a surrender of the work
75 permit. All permits thus surrendered shall be marked
76 cancelled by the officer receiving them. Whenever there is
77 reason to believe that a work permit was improperly issued,
78 the commissioner of labor and state factory inspector, his
79 deputy or agent, shall notify the local superintendent of
80 schools of the place in which said certificate was issued. The
81 local superintendent shall cancel such permit when directed
82 so to do by the commissioner of labor.

Blank employment certificates, to be formulated by the

84 commissioner of labor, approved by the attorney general,
85 and supplied by the department of labor, shall be prepared
86 by the employer of said child and mailed within twenty-four
87 hours to the office of the commissioner of labor to be kept
88 on file by him. When such child leaves such employment,
89 the employer shall return to the child the work permit by
90 him filed, and immediately notify the commissioner of labor
91 that such child has left his employ.

Sect. 3. Any record of age, as provided under section two
2 to determine whether or not a work permit may be issued
3 to any child shall be received as evidence of the age of such
4 child in any prosecution under this act.

Sect. 4. A work permit in regular form and signed by a
2 duly authorized officer, for all minors between the ages of
3 fourteen and sixteen years shall be conclusive evidence of
4 age and educational attainment in behalf of the employer
5 of any child, upon any prosecution for violation of the pro-
6 visions of the law relating to the employment of children.
7 An inspector of factories, truant officer, or other officer
8 charged with the enforcement of this act may make de-
9 mand on any employer in or about whose place or estab-
10 lishment a minor apparently under the age of sixteen years
11 is employed, permitted or suffered to work, that such em-
12 ployer shall either furnish him within ten days documentary
13 evidence of age as specified in section two, or shall cease to
14 employ, permit or suffer such child to work in such place or
15 establishment.

Sect. 5. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for some firm or corporation, or by himself, or through agents, servants or foremen, employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of this act, or otherwise fail to comply with any of the provisions of this act, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

Any person having under his control as parent, guardian, custodian, or otherwise, any child, who permits or suffers such child to be employed or to work in violation of any of the provisions of this act, or who presents, permits or allows any child under his control to present to any employer, owner or superintendent, overseer or agent as required under section two any work permit containing any false statements as to the date of birth or age of such child, knowing them to be false, shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense.

Any person, authorized to issue a work permit who shall knowingly fail to perform the duties of his office as required by the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

Whoever being authorized to sign the foregoing work permit, or whoever signing any certified copy of a town clerk's record of birth, or certified copy of a child's baptismal rec-

28 ord, or a physician's certificate, shall knowingly testify to
29 any false statement therein, shall be punished by a fine of
30 not less than twenty-five dollars nor more than fifty dollars
31 for each offense.

Sect. 6. All fines or penalties provided for by the terms of
2 this act may be recovered or enforced by complaint or in-
3 dictment, and in all prosecutions under this chapter and
4 amendments and additions thereto, trial justices and judges
5 of the municipal and police courts within their counties
6 shall have by complaint original and concurrent jurisdiction
7 with the supreme judicial and superior courts.

Sect. 7. All acts and parts of act inconsistent herewith are
2 hereby repealed.

Sect. 8. This act shall take effect the first Monday of Sep-
2 tember, nineteen hundred and fifteen.'