

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 289

In Senate, March 9, 1915...

Came from the House referred to the Committee on Labor, and on motion by Sen. Burleigh of Aroostook laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

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 en-
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 session.

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 person, firm
4 or corporation employing such child procures and keeps on
5 file accessible to any truant officer, factory inspector or other
6 authorized officer charged with the enforcement of this Act,
7 a work permit issued to said child by the local superintend-
8 ent of schools or by some person authorized by him in writ-
9 ing. The person authorized to issue a work permit shall not
10 issue such permit until such child has demonstrated his abil-
11 ity to read at sight and write simply sentences in the Eng-
12 lish language and perform simple arithmetical problems in-
13 volving the fundamental processes of addition, subtraction,
14 multiplication and division, such educational test to be pre-
15 pared and furnished by the superintendent of schools or the
16 school committee of each city and town in the State, or has
17 furnished a certificate to that effect signed by any teacher
18 in any of the public schools of the city or town in which such
19 child resides, or by the principal of any approved private
20 school; nor until he has received, examined, approved and
21 filed satisfactory evidence of age showing that the child is
22 fourteen years old or upwards which shall consist of a cer-
23 tified copy of the town clerk's record of the birth of said
24 child, or a certified copy of his baptismal record, showing
25 the date of his birth and place of baptism, or a passport
26 showing the date of his birth.

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

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

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

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

The blank work permit and other papers required in this
55 section shall be formulated by the State Superintendent of

56 Schools and furnished by him to the persons authorized to
57 issue work permits.

Every work permit and every vacation permit shall be
59 made out in duplicate. All duplicates, accompanied by the
60 original papers on which such permits were issued, shall be
61 forwarded to the Department of Labor and Industry be-
62 tween the first and tenth days of each month. Said De-
63 partment shall examine said papers and promptly return
64 them to the officer who sent them. Whenever there is rea-
65 son to believe that a work permit was improperly issued, the
66 Commissioner of Labor and State Factory Inspector, his
67 deputy or agent, shall notify the State Superintendent of
68 Schools and the local superintendent of the place in which
69 said certificate was issued. The local superintendent shall
70 cancel said permit when directed so to do by the State Su-
71 perintendent of Schools.

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 agent, 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 of
5 any child, upon any prosecution for violation of the provi-
6 sions of the law relating to the employment of women and
7 children. An inspector of factories, truant officer, or other

8 officer charged with the enforcement of this act may make
9 demand 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
14 to employ, permit or suffer such child to work in such place
15 or establishment.

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

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

Sect. 6. All fines or penalties provided for by the terms
2 of 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 shall
6 have by complaint original and concurrent jurisdiction with
7 the supreme judicial and superior courts.

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