

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 440

House of Representatives, March 17, 1919.

Referred to Committee on Labor and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Smith of Skowhegan.

STATE OF MAINE

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

AN ACT to Amend Section Twenty, Twenty-one and Twenty-three of Chapter Forty-nine of the Revised Statutes as Amended by Chapter One Hundred and Forty-six of the Public Laws of Nineteen Hundred and Seventeen Relating to the Employment of Children.

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

Section twenty of chapter forty-nine of the revised statutes is hereby amended by striking out the word "fourteen" in line three and inserting in place thereof the word 'fifteen,' so that said section as amended shall read as follows:

'Sect. 20. No child under fourteen years of age shall be

2 employed, permitted or suffered to work in, about, or in
3 connection with any manufacturing or mechanical estab-
4 lishment. No child under fifteen 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.'

Section twenty-one of chapter forty-nine of the revised
2 statutes as amended by chapter one hundred and forty-six
3 of the public laws of nineteen hundred and seventeen is
4 hereby amended by striking out in the tenth, eleventh,
5 twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seven-
6 teenth and eighteenth lines of said section the following
7 words: "demonstrated his ability to read at sight and
8 write simple sentences in the English language and perform
9 simple arithmetical problems involving the fundamental
10 processes of addition, subtraction, multiplication and di-
11 vision, such educational test to be prepared and furnished
12 by the superintendent of schools or the school committee
13 of each city and town in the state, or has furnished a cer-
14 tificate to that effect signed by any teacher in any of the
15 public schools of the city or town in which such child re-
16 sides, or by the principal of any approved private school."
17 And insert in place thereof the following: 'furnished such
18 issuing officer a certificate signed by the principal of the
19 school last attended showing that the child can read and
20 write correctly simple sentences in the English language

21 and that he has satisfactorily completed the studies cov-
22 ered in the first six yearly grades of the elementary pub-
23 lic schools, or their equivalent; in case such certificate can-
24 not be obtained, then the officer issuing the work permit
25 shall examine such child to determine whether he can
26 meet the educational standard specified and shall file in
27 his office a statement setting forth the result of such ex-
28 amination,' so that as amended said section shall read as
29 follows:

'Sect. 21. No minor between the ages of fourteen and
2 sixteen years shall be employed, permitted or suffered to
3 work in any of the aforementioned occupations unless the
4 person, firm or corporation employing such child procures
5 and keeps on file accessible to any truant officer, factory
6 inspector or other authorized officer charged with the en-
7 forcement of sections twenty to thirty-one, both inclusive,
8 of this chapter, a work permit issued to said child by the
9 superintendent of schools of the city or town in which the
10 child resides, or by some person authorized by him in writ-
11 ing. The person authorized to issue a work permit shall
12 not issue such permit until such child has furnished such
13 issuing officer a certificate signed by the principal of the
14 school last attended showing that the child can read and
15 write correctly simple sentences in the English language
16 and that he has satisfactorily completed the studies cov-
17 ered in the first six yearly grades of the elementary public
18 schools, or their equivalent; in case such certificate cannot

19 be obtained, then the officer issuing the work permit shall
20 examine such child to determine whether he can meet the
21 educational standard specified and shall file in his office a
22 statement setting forth the result of such examination; nor
23 until he has received, examined, approved and filed satis-
24 factory evidence of age showing that the child is fourteen
25 years old or upwards; such evidence shall consist of a
26 certified copy of the town clerk's record of the birth of
27 said child, or a certified copy of his baptismal record,
28 showing the date of his birth and place of baptism, or a
29 passport showing the date of birth. In the event of the
30 minor being unable to produce the evidence heretofore
31 mentioned, and the person authorized to issue the work
32 permit being satisfied of that fact, the said work permit
33 may be issued on other documentary evidence of age sat-
34 isfactory to the person authorized to issue the work per-
35 mit, provided said documentary evidence has been approved
36 by the state commissioner of labor. The superintendent of
37 schools, or the person authorized to issue such work per-
38 mit may require, in doubtful cases, a certificate signed by
39 a physician appointed by the school board, or, in case there
40 is no school physician, from the medical officer of the board
41 of health, stating that such child has been examined by
42 him, and in his opinion, has reached the normal develop-
43 ment of a child of its age, and is in sufficiently sound health
44 and physically able to perform the work which he intends
45 to do. The state factory inspector, his deputy or agent,

46 may require a similar certificate in doubtful cases of the
47 minors employed under a work permit. A work permit
48 when duly issued shall excuse such child from attend-
49 ance at public schools; but no person shall issue such per-
50 mit to any minor then in or about to enter his employment
51 or the employment of the firm or corporation of which he
52 is a member, stockholder, officer or employee.'

Section twenty-three of chapter forty-nine of the revised
2 statutes is hereby amended by striking out the words "be-
3 tween the first and tenth days of each month" in lines eight
4 and nine of said section and inserting in place thereof the
5 following: 'within twenty-four hours of the time that said
6 permit was issued,' so that said section as amended will
7 read as follows:

'Sect. 23. The blank work permit and other papers re-
2 quired in the two preceding sections shall be formulated
3 by the commissioner of labor and industry, and furnished
4 by him to the persons authorized to issue work permits.
5 The forms of such permits and other papers shall be ap-
6 proved by the attorney general. Every work permit and
7 every vacation permit shall be made out in duplicate. All
8 duplicates, accompanied by the original papers on which
9 such permits were issued, shall be forwarded to the de-
10 partment of labor and industry, by the officer issuing
11 same, within twenty-four hours of the time that said per-
12 mit was issued. Said department shall examine said pa-
13 pers and promptly return them to the officer who sent them.

14 Said original papers upon which said permits were issued
15 shall be filed by said officer and preserved for such time
16 as said permits are outstanding, or until the minor arrives
17 at the age of sixteen. They shall be at all times accessible
18 to the commissioner of labor and industry or any author-
19 ized agent of his department. Said officer shall return to
20 said child all papers with him filed in proof of age, upon
21 a surrender of the work permit. All permits thus sur-
22 rendered shall be marked cancelled by the officer receiving
23 them. Whenever there is reason to believe that a work
24 permit was improperly issued the commissioner of labor
25 and industry, and state factory inspector, his deputy or
26 agent, shall notify the local superintendent of schools of
27 the place in which said certificate was issued. The local
28 superintendent shall cancel such permit when directed so
29 to do by the commissioner of labor and industry.'