

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 470

H. P. 1408 House of Representatives, February 26, 1929.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Jackson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to the Duties of the Commissioner of Labor
and Industry in Factory Inspection.

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

Section twelve of chapter forty-nine, revised statutes, is
2 hereby amended by adding after the word "cogs" in line
3 twenty-one the words 'electric wiring and appliances'; and
4 by adding after the word "pans" in line twenty-three the
5 words 'pressure vessels' and by adding after the word
6 "court" in line thirty-six the following:

'The commissioner of labor and industry is hereby
2 empowered to issue such rules and regulations as may
3 be necessary to give effect to the foregoing provisions,

4 such rules and regulations to become effective when ap-
5 proved by the governor and council. The commissioner
6 of labor and industry may create boards of advisors who
7 shall serve without expense to the state, such boards to be
8 comprised of representatives of firms or corporations man-
9 ufacturing, installing and using the appliances, appurte-
10 nances and mechanisms included in this section. Said
11 boards shall assist in formulating such rules and regula-
12 tions as are above provided,' so that said section as amend-
13 ed will read as follows:

'Sect. 12. The commissioner, as state factory inspector,
2 and any authorized agent of the department of labor and
3 industry, may enter any factory or mill, workshop, private
4 works or state institutions which have shops or factories,
5 when the same are open or in operation, for the purpose
6 of gathering facts and statistics such as are contemplated
7 by this section and the two preceding sections, and may
8 examine into the methods of protection from danger to
9 employees and the sanitary conditions in and around such
10 buildings and places, and may make a record of such in-
11 spection. Whoever shall refuse to admit or shall unrea-
12 sonably delay the commissioner, or any authorized agent
13 of the department of labor and industry, in so entering,
14 or shall refuse to give the information so desired by said
15 commissioner or authorized agent, shall be punished by a
16 fine not exceeding one hundred dollars, or by imprison-
17 ment for not more than ninety days, or by both such fine

18 and imprisonment in the discretion of the court. If the
19 commissioner as state factory inspector, or any authorized
20 agent of the department of labor and industry, shall find
21 upon such inspection that the heating, lighting, ventilation
22 or sanitary arrangement of any workshops or factories is
23 such as to be injurious to the health of the persons em-
24 ployed or residing therein or that the means of egress in
25 case of fire or other disaster are not sufficient, or that the
26 belting, shafting, gearing, elevators, drums, saws, cogs,
27 electric wiring and appliances and machinery in such work-
28 shops and factories are located or are in a condition so as
29 to be dangerous to employees and not sufficiently guarded,
30 or that vats, pans, pressure vessels, or any other structures,
31 filled with molten metal or hot liquids, are not surrounded
32 with proper safeguards for preventing accidents or injury
33 to those employed at or near them, he shall notify, in writ-
34 ing, the owner, proprietor or agent of such workshops or
35 factories to make, within thirty days, the alterations or
36 additions by him deemed necessary for the safety and pro-
37 tection of the employees; and if such alterations or addi-
38 tions are not made within thirty days from the date of
39 such written notice, or within such time as said altera-
40 tions or additions can be made with proper diligence upon
41 the part of such proprietors, owners or agents, said pro-
42 prietors, owners or agents so notified shall be deemed guilty
43 of a misdemeanor, and shall be punished by a fine of not
44 less than twenty-five, nor more than two hundred dollars,

45 or by imprisonment not more than thirty days, or by both
46 such fine and imprisonment at the discretion of the court.
47 The commissioner of labor and industry is hereby em-
48 powered to issue such rules and regulations as may be
49 necessary to give effect to the foregoing provisions, such
50 rules and regulations to become effective when approved
51 by the governor and council. The commissioner of labor
52 and industry may create boards of advisors who shall serve
53 without expense to the state, such boards to be comprised
54 of representatives of firms or corporations manufacturing,
55 installing and using the appliances, appurtenances and
56 mechanisms included in this section. Said boards shall as-
57 sist in formulating such rules and regulations as are above
58 provided. All fines or penalties provided in this section and
59 the preceding section may be recovered or enforced by com-
60 plaint or indictment; and in all prosecutions under said sec-
61 tions, trial justices and judges of the municipal and police
62 courts, within their counties, shall have, by complaint, orig-
63 inal and concurrent jurisdiction with the supreme judicial
64 court and superior courts.'