

# MAINE STATE LEGISLATURE

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N I N E T I E T H            L E G I S L A T U R E

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**Legislative Document**

**No. 748**

H. P. 1431

House of Representatives, February 11, 1941.

Referred to the Committee on Labor and 750 copies ordered printed.  
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Eddy of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT Relating to the Safety of Workers in Building Construction.**

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

**Sec. 1. R. S., c. 54, § 9, amended.** Section 9 of chapter 54 of the revised statutes is hereby amended to read as follows:

**‘Sec. 9. Appointment of commissioner; deputy; salaries and expenses to be audited.** A state department of labor and industry shall be maintained under the direction of an officer whose title shall be commissioner of labor and industry, and state factory **and building construction** inspector. He shall be appointed by the governor, with the advice and consent of the council, for a term of 3 years, and shall hold office until his successor is appointed and qualified. He shall have an office in the state capitol. He shall appoint a deputy who shall be clerk of the department, and deputy state factory **and building construction** inspector, and shall hold office during the pleasure of the commissioner; he shall also appoint a stenographer for the department and a woman factory inspector, and may employ special agents and such other assistants as may be required for the work of the department. The special agents and other assistants shall work under the supervision and direction of the said commissioner and shall be paid their necessary traveling expenses in addition to their salaries. All ex-

penses of the department shall be audited by the state auditor and shall be payable upon proper vouchers certified by the said commissioner.'

**Sec. 2. R. S., c. 54, § 10, amended.** Section 10 of chapter 54 of the revised statutes is hereby amended to read as follows:

**'Sec. 10. Work of department; enforcement of laws relating to employment of minors and women; bulletins.** The department shall collect, assort and arrange 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 **and building construction** 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 employees classified according to age and sex, and the daily and average wages paid each employee; and the exploitation of such other subjects as will tend to promote the permanent prosperity of the industries, **and the safety and security of the workers** of the state. The commissioner of labor and industry shall cause to be enforced all laws regulating the employment of minors and women; all laws established for the protection of health, lives and limbs of operators in workshops and factories, on railroads and in other places; all laws regulating the payment of wages, and all laws enacted for the protection of the working classes. He shall, on or before the first day of July, biennially, report to the governor, and may make such suggestions and recommendations as he may deem necessary for the information of the legislature. He may from time to time, cause to be printed and distributed bulletins upon any subject that shall be of public interest and benefit to the state.'

**Sec. 3. R. S., c. 54, § 12, amended.** Section 12 of chapter 54 of the revised statutes is hereby amended to read as follows:

**'Sec. 12. Powers of commissioner or agent to enter manufacturing establishment.** The commissioner, as state factory **and building construction** inspector, and any authorized agent of the department of labor and industry, may enter any factory or mill, workshop, private works, or state institutions which have shops or factories **or where building construction is in progress**, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this section and the 2 preceding sections, and may examine into the methods of protection

from danger to employees and the sanitary conditions in and around such buildings and places, and may make a record of such inspection.'

**Sec. 4. R. S., c. 54, § 13, amended.** Section 13 of chapter 54 of the revised statutes is hereby amended to read as follows:

**'Sec. 13. Duty when conditions are found unsanitary, unsafe, or injurious to health.** If the commissioner as state factory and building construction inspector, or any authorized agent of the department of labor and industry, shall find upon such inspection that the heating, lighting, ventilation, or sanitary or safety arrangement of any workshops ~~or~~, factories or construction is such as to be injurious to the health or safety of the persons employed or residing therein or that the means of egress in case of fire or other disaster are not sufficient, or that the belting, shafting, gearing, elevators, drums, saws, cogs, and machinery in such workshops and factories are located or are in a condition so as to be dangerous to employees and not sufficiently guarded, or that vats, pans, or any other structures, filled with molten metal or hot liquids, are not surrounded with proper safeguards for preventing accidents or injury to those employed at or near them, he shall notify, in writing, the owner, proprietor, or agent of such workshops or factories or building constructions to make, within ~~thirty~~ days the time specified by the commissioner, the alterations or additions by him deemed necessary for the safety and protection of the employees.'

**Sec. 5. R. S., c. 54, § 14, amended.** Section 14 of chapter 54 of the revised statutes is hereby amended by adding at the end thereof the following.

**'"Building construction" shall mean construction of any kind 20 feet or more above ground or floor.'**