

MAINE STATE LEGISLATURE

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NINETY - NINTH LEGISLATURE

Legislative Document

No. 300

H. P. 209

House of Representatives, January 29, 1959.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Winchenpaw of Friendship.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Duties and Powers of Department of Labor and Industry.

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

Sec. 1. R. S., c. 30, § 2, amended. The last sentence of section 2 of chapter 30 of the Revised Statutes is amended to read as follows:

'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; and shall conduct a program of research, education and promotion to reduce industrial accidents.'

Sec. 2. R. S., c. 30, § 4, amended. Section 4 of chapter 30 of the Revised Statutes, as amended by section 1 of chapter 466 of the public laws of 1955, is further amended to read as follows:

'**Sec. 4. Powers to enter manufacturing establishment.** The commissioner as State Factory Inspector, and any authorized agent of the department, may enter any ~~factory or mill, construction activity, workshop, private works or state institutions which have shops or factories~~ **work place** when the same ~~are~~ is open or in operation, for the purpose of gathering facts and statistics such as are contemplated by ~~this section and the 2 preceding sections 2 to 4,~~ 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. 3. R. S., c. 30, § 5, amended. The 1st paragraph of section 5 of chapter 30 of the Revised Statutes is repealed and the following enacted in place thereof:

'Every employer shall use due care to provide reasonably safe work places, equipment, tools and working conditions for his employees. If, upon inspection, the commissioner as State Factory Inspector, or any authorized agent of the department, shall find that an existing condition is such as to be injurious to the health of the persons employed or residing therein, or that reasonable safeguards for preventing accidents or injuries to those employed are not provided, he shall notify, in writing, the employer, proprietor or agent operating such work place to make, within 30 days, the alterations or additions by him deemed necessary for the reasonable safety and protection of the employees. In case of extraordinary hazard, the commissioner or his agent may demand that the hazard be removed immediately.'

Sec. 4. R. S., c. 30, § 5-A, additional. Chapter 30 of the Revised Statutes, as amended, is further amended by adding a new section, to be numbered 5-A, to read as follows:

'Sec. 5-A. Application of sections 4 and 5. Sections 4 and 5 shall not apply to work on a farm or in or about a private residence, commercial fishing or logging; nor to employment in any Federal Government establishment; nor to any activity subject to the control of the Interstate Commerce Commission.'