

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



ENROLLED

HOUSE BILL No. 210

(By Mr. Flaccus)



PASSED March 10, 1943

In Effect from Passage

210

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House Bill No. 210
(BY MR. FLACCUS)

[Passed March 10, 1943; in effect from passage.]

AN ACT to amend and reenact section two, article six, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended and reenacted by chapter seventy-five, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, relating to employment of children under eighteen years of age in certain occupations, determination as to other occupations and the right of appeal to the supreme court of appeals.

Be it enacted by the Legislature of West Virginia:

That section two, article six, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended and reenacted by chapter seventy-five, acts of

the Legislature, regular session, one thousand nine hundred thirty-nine, be amended and reenacted to read as follows:

Article 6. Child Labor.

Section 2. *Employment of Children Under Eighteen in*

2 *Certain Occupations; Determination as to Other Occupa-*
3 *tions; Appeal to Supreme Court.*—No child under eighteen
4 years of age shall be employed, permitted or suffered to
5 work in any mine, quarry or tunnel; or in, about, or in
6 connection with any of the following:

- 7 (1) Stone cutting or polishing;
- 8 (2) The manufacture or transportation of explosives
9 or highly inflammable substances;
- 10 (3) Ore reduction works, smelters, hot rolling mills,
11 furnaces, foundries, forging shops, or in any other place
12 in which the heating, melting or heat treatment of metals
13 is carried on;
- 14 (4) Machinery used in the cold rolling of heavy metal
15 stock, metal plate bending machines, or power-driven
16 metal planing machines.

17 No child under eighteen years of age shall be employed
18 or permitted to work in a public pool room or billiard

19 room, or be permitted, employed or suffered to sell, dis-
20 pense or serve beer, in any place or establishment where
21 beer is served, sold or dispensed, if dancing is permitted
22 or allowed in the same room in which such beer is served,
23 sold or dispensed, or in any indecent, obscene or immoral
24 exhibition or practice; nor shall a child under eighteen
25 years of age be apprenticed, given away, let out or other-
26 wise disposed of to any person or company to engage in
27 the occupation or service of rope or wire walker, gymnast,
28 contortionist, circus rider, acrobat or clown; nor shall any
29 child under the age of eighteen years of age be per-
30 mitted or suffered to work in a bowling alley after twelve
31 o'clock midnight."

32 The state commissioner of labor, the state commissioner
33 of health, and the state superintendent of free schools
34 may, from time to time, after hearing duly had, determine
35 whether or not any particular trade, process of manufac-
36 turing, or occupation in which the employment of chil-
37 dren under eighteen years of age is not already forbid-
38 den by law, or any particular method of carrying on such
39 trade, process of manufacture, or occupation, is suffi-

40 ciently dangerous to the lives or limbs, or injurious to
41 the health or morals of children under eighteen years of
42 age to justify their exclusion therefrom. No child under
43 eighteen years of age shall be employed or permitted to
44 work in any occupation thus determined to be dangerous
45 or injurious to such children. There shall be a right of
46 appeal to the supreme court of appeals from any such
47 determination.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Ray A. Jimison
Chairman Senate Committee

Fred S. Kotroff
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Fred B. Watkins
Clerk of the Senate

J. K. Siff
Clerk of the House of Delegates

James Paue
President of the Senate

John E. Sasser
Speaker House of Delegates

The within approved this the 19th
day of March, 1943.

Matthew Neely
Governor.



Filed in the office of the Secretary of State
of West Virginia MAR 19 1943
Wm. S. O'BRIEN,
Secretary of State