

LABOR DEPARTMENT:

Board of Mediation and Arbitration has not abolished, and the pertinent statutes appear in Article 3, Chapter 95, R. S. Mo. 1929.

August 26, 1933.

Miss Mary Edna Cruzen,
Commissioner of Labor,
Jefferson City, Missouri.

Dear Miss Cruzen:

We are acknowledging receipt of your letter in which you inquire as follows:

"Has the Board of Mediation and Arbitration been abolished?"

The following Statutes have been called to my attention:

Session Laws, 1901, page 195.
Creation of the board.

Amended Laws, 1903, page 218, and Laws 1909, page 615.

The statute appears in the 1929 revision, Secs. 13,195 and 13,304.

The Act of 1921 created a Department of Labor and transferred to the Department the duty of administering the provisions of Ch. 54, R. S. 1919, except the provisions of Art. III, thereof, also, Session Laws, 1927, page 292, Art. IV, contains the sections providing for a Board of Mediation and Arbitration.

The Act of the 51st General Assembly to be found at pages 417 to 425 inc., Laws 1921, was repealed by the Act to be found at page 260, Laws 1931.

There seems to be no record of a Board of Mediation and Arbitration having been appointed under the Caulfield administration."

You inquire whether or not the Board of Mediation and Arbitration has been abolished. In answering your inquiry we shall review the Acts and Statutes to which you call our attention.

The Board of Mediation and Arbitration was created by the Legislature in 1901. The particular Section creating the Board first appeared in the Revised Statutes of 1909 as Section 7802. The chapter dealing with the Board first



appeared in the Revised Statutes of 1909 as Article 3 of chapter 67. Article 3 of Chapter 54 of the Revised Statutes of 1919 is the same as article 3 of Chapter 67 of the Revised Statutes of 1909. In 1921 the Legislature in Laws of 1921, pages 417 to 425, created the Department of Labor and transferred to the Department of Labor the duties of administering and enforcing the provisions of Chapter 54, R. S. No. 1919, except the provisions of Article 3 thereof; Article 3 being the Section dealing with the Board of Mediation and Arbitration. The operation of the Laws of 1921, pages 417 to 425, were suspended by means of the referendum and at the election on November 7, 1922, the people rejected the Laws of 1921, pages 417 to 425. These Laws, therefore, never became operative and they were repealed and removed from the statutes by the Legislature in 1931 by the Laws of 1931, page 260.

In 1927 the Legislature, in Laws of 1927, page 292, created the Department of Labor and Industrial Inspection and conferred upon that Department all the duties and powers contained in Chapter 54 of the Revised Statutes of 1919, except Article 3 of said Chapter; said Article being the one relating to the Board of Mediation and Arbitration.

Article 3 of Chapter 54 R. S. No. 1919, therefore, was not affected by the Laws of 1921, pages 417 to 425, or by the Laws of 1927, page 292, and are, therefore, still in force and are found in the present revision of 1929 as Article 3 of Chapter 95.

It is, therefore, the opinion of this Department that the Board of Mediation and Arbitration is still in existence and has not been abolished by any of the foregoing laws.

Very truly yours,


Assistant Attorney General.

APPROVED:

Attorney General.

FWH:S