

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-494)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1214, L.D. 1520, Bill, "AN ACT Relating to the Employment of Minors and Overtime Pay."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 26 MRSA §702, first sentence, as repealed and replaced by PL 1975, c. 701, §12, is amended to read:

Every employer shall keep a time book or record for every minor under 16 years of age employed in any occupation, except ~~agricultural~~ the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, or household work, stating the number of hours worked by each minor under 16 years of age on each day of the week.

Sec. 2. 26 MRSA §771, first sentence, as amended by PL 1975, c. 238, §1, is further amended to read:

No child under 14 years of age shall be employed, permitted or suffered to work in, about or in connection with agriculture, except for the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, any eating place, automatic laundries, retail establishment where frozen dairy products are manufactured on the premises, sporting or

overnight camp, mercantile establishment or in outdoor occupations on the grounds of a hotel, and no child between the ages of 14 and 16 years shall be so employed when the distance between the work place and the home of the child, or any other factor, necessitates the child's remaining away from home overnight.

Sec. 3. 26 MRSA §772, first sentence, as amended by PL 1971, c. 620, §13, is further amended to read:

No minor under 18 years of age shall be employed in, about or in connection with any manufacturing or mechanical establishment, food processing, agriculture, except for the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, laundry, dry cleaning establishment or bakery in any capacity that the director determines to be hazardous, dangerous to their lives or limbs, injurious to morals or where their health will be injured.

Sec. 4. 26 MRSA §774, 4th paragraph, as amended by PL 1975, c. 59, §3, is further amended to read:

Work performed in ~~agriculture~~ the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, or any occupation that does not offer continuous, year-round employment shall be exempt from this section, provided a minor under 16 years of age has been excused by the local superintendent

of schools in accordance with the policy established by the Commissioner of Educational and Cultural Services and the Director of the Bureau of Labor.

Sec. 5. 26 MRSA §775, 2nd paragraph is amended to read:

This section shall not apply to minors engaged in work performed in agriculture the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, household work or any occupation that does not offer continuous, year-round employment.

Statement of Fact

The purpose of this amendment is to limit the bill so that minors would be unable to be employed in "food processing" or "agriculture." The amendment does allow 2 exemptions in the area of agriculture which are:

1. The agricultural planting, cultivating and harvesting of field crops; and
2. Other agricultural employment not in direct contact with hazardous machinery or hazardous substances.

Reported by the Committee on Labor
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