

MAINE STATE LEGISLATURE

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(EMERGENCY)
(NEW DRAFT OF H.P. 1697, L.D. 2330)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2557

H.P. 1868 House of Representatives, March 21, 1988
Reported by Representative HALE from the Committee on
Labor and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative HIGGINS of
Scarborough. Cosponsored by Senator DUTREMBLE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT** Relating to the Employment of Minors.
2

3 **Emergency** preamble. Whereas, Acts of the
4 Legislature do not become effective until 90 days
5 after adjournment unless enacted as emergencies; and

6 Whereas, hiring for the summer employment season
7 will begin within the next few months; and

8 Whereas, manufacturers and employers in service

1 industries in some parts of the State are facing a
2 labor shortage and would like to employ minors in
3 nonhazardous retail operations; and

4 Whereas, in the judgment of the Legislature, these
5 facts create an emergency within the meaning of the
6 Constitution of Maine and require the following
7 legislation as immediately necessary for the
8 preservation of the public peace, health and safety;
9 now, therefore,

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

12 **Sec. 1.** 26 MRSA §773, as amended by PL 1987, c.
13 401, is further amended by adding at the end a new
14 paragraph to read:

15 The provisions of this section pertaining to
16 manufacturing or mechanical establishments, laundries,
17 dry cleaning establishments and bakeries shall not
18 apply to minors under 16 years of age who are employed
19 in retail sales, customer service operations or office
20 work for these establishments, provided that retail,
21 customer service or office areas are in a separate
22 room.

23 **Sec. 2.** 26 MRSA §781 is amended to read:

24 §781. Penalties; employers

25 Any person firm or corporation, agent or manager
26 of any firm or corporation, who, either for himself or
27 for some firm or corporation or by himself or
28 through his agents, servants or foremen, employs,
29 permits or suffers any child to be employed, or to
30 work in violation of any of the provisions of sections
31 771 to 780, or otherwise fails to comply with any of
32 the provisions of said these sections, shall be
33 punished by a fine of not less than \$25 \$100 nor
34 more than \$200 \$500.

35 **Emergency clause.** In view of the emergency
36 cited in the preamble, this Act shall take effect when
37 approved.

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STATEMENT OF FACT

2 This new draft amends the law prohibiting
3 employment of minors in manufacturing or mechanical
4 concerns, laundries, dry cleaners and bakeries. The
5 new draft allows minors to be employed in retailing,
6 customer service operations or office work for these
7 establishments, provided that the areas in which they
8 are employed are clearly separated from the
9 manufacturing or hazardous areas of a building. This
10 new draft also increases the fines for employers
11 violating the child labor laws. The fines have not
12 been increased since 1955.

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