

MAINE STATE LEGISLATURE

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L.D. 405
(Filing No. S- 439)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A " to H.P. 293, L.D. 405, Bill, "An Act to Allow 15-year-olds to be Employed in Kitchen and Common Areas in Bed and Breakfast Establishments and Inns with less than 20 Rooms"

Amend the bill in the first line after the enacting clause (page 1, line 18 in L.D.) by inserting at the beginning the following: 'Sec. 1.'

Further amend the bill by inserting before the emergency clause the following:

'Sec. 2. 39 MRSA §21-A, sub-§4 is enacted to read:

4. Minors employed in lodging industry. Notwithstanding section 4 and any other provision of this Act, a minor who is 15 years of age and who suffers an injury arising out of and in the course of employment in a kitchen, dining room, lobby or office of public accommodations for lodging may file a civil action against the employer for damages resulting from that injury or claim compensation from the employer under this Act. The employer is not entitled to the defense set forth in section 3 in a civil action brought by the minor employee or the employee's representative for personal injuries or death arising out of and in the course of that employment.'

Further amend the bill by renumbering the sections to read consecutively.

STATEMENT OF FACT

This amendment permits 15-year-olds who are employed in the lodging industry under the bill and who are injured in the course of that employment to choose between claiming workers'

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SENATE AMENDMENT " A" to H.P. 293, L.D. 405

1 compensation benefits or filing a civil action against the
2 employer. This additional protection is granted to these minors
3 due to the serious consequences potentially associated with a
4 workplace injury to a minor child.

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8 (Senator CLARK)
9 SPONSORED BY: _____

10 COUNTY: Cumberland
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(6/30/89) (Filing No. S-439)