



## 115th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-1992**

Legislative Document

No. 2213

S.P. 866

In Senate, January 23, 1992

Submitted by the Department of the Attorney General pursuant to Joint Rule 24. Reference to the Committee on Labor suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator ESTY of Cumberland Cosponsored by Representative PINEAU of Jay.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

## An Act to Amend Child Labor Laws.

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

Sec. 1. 26 MRSA §774, sub-§4, as corrected by RR 1991, c. 1,  $\S34$ , is amended to read:

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4. Exemptions. Work performed in 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 work performed as a summer camp counselor in a children's camp is 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 Education and the Director of the Bureau of Labor Standards. Work performed in the taking or catching of lobsters, fish or other marine organisms by any methods or means, or in the operating of ferries or excursion boats, is exempt from subsection 1, paragraphs A and C.

Sec. 2. 26 MRSA §775, sub-§6, as enacted by PL 1991, c. 544, §5, is amended to read:

6. Exception. This section does not apply to minors engaged in work performed in 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 work performed as a summer camp counselor in a children's camp.

STATEMENT OF FACT

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34 This bill eliminates an ambiguous clause that allows many employers to argue that the child labor laws do not apply to them 36 because they operate on a seasonal or sporadic basis. The ambiguous clause is replaced with a clause specifying that the 38 work performed as a summer camp counselor in a children's camp is exempt from the child labor laws.

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