

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 164

H.P. 123

House of Representatives, January 26, 1993

**An Act to Amend the Child Labor Laws.**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FARREN of Cherryfield.

Cosponsored by Representatives ANDERSON of Woodland, LOOK of Jonesboro, Senators FOSTER of Hancock, VOSE of Washington.

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

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Sec. 1. 26 MRSA §774, sub-§4, as amended by PL 1991, c. 713, §3, is further amended to read:

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4. Exemptions. Work performed in the planting, cultivating or harvesting of field crops or other agricultural employment, including the initial processing of farm crops, not in direct contact with hazardous machinery or hazardous substances or work performed as a summer camp employee 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.

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#### STATEMENT OF FACT

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This bill clarifies that this agricultural exemption includes employment in the initial processing of farm crops as long as the work is not in direct contact with hazardous machinery or hazardous substances. The new language is consistent with the United States Department of Labor's interpretation of the agricultural exemption under the Fair Labor Standards Act of 1938, 29 United States Code, Sections 201 to 219.