

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

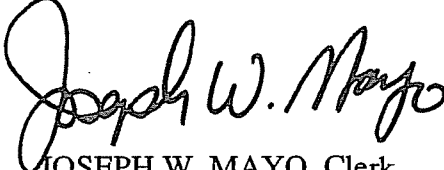
No. 1108

H.P. 822

House of Representatives, April 1, 1993

An Act to Amend the Child Labor Laws.

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


JOSEPH W. MAYO, Clerk

Presented by Representative AIKMAN of Poland.
Cosponsored by Representative: ST. ONGE of Greene, Senator: BEGLEY of Lincoln.

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

2
4 **Sec. 1. 26 MRSA §774, sub-§1, ¶¶A and C**, as enacted by PL 1991, c. 544, §5, are amended to read:

6 A. More than 48 60 hours in any week when school is not in session;

8 C. More than 8 12 hours in any day when school is not in session;

10
12 **Sec. 2. 26 MRSA §774, sub-§1, ¶F**, as amended by PL 1991, c. 713, §1, is further amended to read:

14 F. Between the hours of 10 p.m. and 7 a.m. on a day preceding a school day ~~or between the hours of 12 a.m. and 7 a.m. on a day that does not precede a school day.~~

16
18 **Sec. 3. 26 MRSA §774, sub-§2, ¶F**, as enacted by PL 1991, c. 544, §5, is amended to read:

20 F. Between the hours of 7 p.m. and 7 a.m. ~~in any day when school is in session or~~ except from June 1st to Labor Day when that minor may not work between the hours of 9 p.m. and 7 a.m. ~~during summer school vacation.~~

22
24 **Sec. 4. 26 MRSA §774, sub-§4**, as amended by PL 1991, c. 713, §3, is further amended to read:

26 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, work performed as an employed or in-training theatrical actor 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 B and C D.

30
32 **Sec. 5. 26 MRSA §785** is enacted to read:

34 **§785. Rulemaking**

36 The Director of the Bureau of Labor Standards may adopt rules pursuant to Title 5, chapter 375, subchapter II that are

2 consistent with this subchapter and considered appropriate or
3 necessary for the proper administration and enforcement of this
4 subchapter.

6
7 **STATEMENT OF FACT**

8 This bill amends the following laws governing child labor.

10 1. The bill expands the employment hours for 16-year-olds
11 and 17-year-olds when school is not in session or on days not
12 preceding a school day.

14 2. The bill brings the Maine Revised Statutes, Title 26,
15 section 774 into compliance with federal child labor laws by
16 using language similar to the federal law.

18 3. The bill establishes an exemption in the section of the
19 State's child labor laws concerning the hours of employment for
20 work performed as an employed or in-training theatrical worker.

22 4. The bill allows the Director of the Bureau of Labor
23 Standards to adopt rules for the administration and enforcement
24 of this subchapter.