

MAINE STATE LEGISLATURE

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R. of S.

L.D. 280

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LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 244, L.D. 280, Bill, "An Act Concerning Recordkeeping in Relation to Employment of Minors"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 26 MRSA §781, sub-§1-A is enacted to read:

1-A. De minimis violations of section 774. Notwithstanding subsection 1, absent a finding that reasonably suggests a pattern of knowing and intentional conduct, the bureau may disregard the following violations of section 774:

A. A violation of the limits on the time that work may begin or end under section 774, subsection 1, paragraph F or G or section 744, subsection 2, paragraph F, as long as the violation is no greater than 10 minutes per day;

B. A violation of the number of hours a minor may work in any day under section 774, subsection 1, paragraph B, C or D or section 774, subsection 2, paragraph C or D, as long as the violation is not greater than 10 minutes per day; and

C. A violation of the number of hours worked in a week under section 774, subsection 1, paragraph A or B or section 774, subsection 2, paragraph A or B, as long as the violation is not greater than 50 minutes in a week.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the bill. It provides an exception to the strict liability penalty for violations of child labor laws. It allows the Department of Labor, Bureau of Labor Standards to disregard de minimis violations of the laws defining what time a minor may begin and end work, how many hours may be worked each day and the maximum number of hours worked in a week. De minimis violations consist of 10 minutes per day or 50 minutes in a week. Knowing and intentional violations may not be disregarded.