

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

L.D. 170

DATE: **3-27-03**

(Filing No. H- **64**)

LABOR

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "**A**" to H.P. 129, L.D. 170, Bill, "An Act To Improve the Health and Safety of Young Workers"

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'Sec. 1. 26 MRSA §772, as amended by PL 1999, c. 30, §1, is repealed and the following enacted in its place:

§772. Minors under 18 years of age; hazardous employment

1. Prohibition against certain employment. A minor under 18 years of age may not be employed in any capacity that the director determines to be hazardous, dangerous to life or limbs or injurious to the minor's health or morals.

2. Rules; list of occupations. The director shall adopt rules to develop and maintain a list of occupations not suitable for employment of a minor. The rules must conform as far as practicable to the child labor provisions of the federal Fair Labor Standards Act of 1938, 29 United States Code, Section 212 and any associated regulations. The rules must also contain a provision prohibiting the employment of minors in places having nude entertainment.

3. Rules relating to confined spaces and height. The director shall adopt rules prohibiting a minor under 18 years of age from working in confined spaces or at a designated height

Refs

COMMITTEE AMENDMENT "A" to H.P. 129, L.D. 170

2 when regulations of the federal Occupational Safety and Health
4 Administration, adopted under the general industry standards, 29
6 Code of Federal Regulations, Part 1910, require special
8 precautions or procedures for such work. The rules must provide
10 exceptions to the prohibition in specific exceptional
12 circumstances, such as work required for public safety.

8 4. Rules are routine technical. Rules adopted pursuant to
10 this section are routine technical rules as defined in Title 5,
12 chapter 375, subchapter 2-A.

12 5. Application. This section does not apply to minors in
14 public and approved private schools where mechanical equipment is
16 installed and operated primarily for purposes of instruction.'

SUMMARY

18 This amendment replaces the bill. It restructures the
20 section of law relating to hazardous employment for minors. It
22 adds language prohibiting minors from working in confined spaces
24 or at a certain height when federal Occupational Safety and
26 Health Administration regulations would require special
procedures or precautions for such work. It requires that
Department of Labor rules limiting minors from such work include
specific exceptions for work needed for public safety.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

Approved: 03/03/03 *MAC*

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 170

An Act to Improve the Health and Safety of Young Workers

LR 1505(02)

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund