

MAINE STATE LEGISLATURE

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S.M.C.
ROES
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L.D. 1698

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Date: 3/26/14

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STATE OF MAINE

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SENATE

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126TH LEGISLATURE

7

SECOND REGULAR SESSION

8

SENATE AMENDMENT "A" to H.P. 1222, L.D. 1698, Bill, "An Act To Streamline the Work Permitting Process for Minors and To Conform Allowable Places That Minors May Work to Federal Law"

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Amend the bill in section 2 in §775 by striking out all of subsections 1 and 2 (page 1, lines 32 to 39 and page 2, lines 1 to 23 in L.D.) and inserting the following:

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1. Work permit authority. A minor under 16 years of age may not be employed without a work permit ~~signed by the superintendent of schools of the school administrative unit in which the minor resides~~ and issued to the minor by the bureau. The superintendent of schools of the school administrative unit in which the minor resides shall certify to the bureau the minor's information and forward the application for a work permit to the bureau for its approval. The superintendent may designate a school official to ~~sign a work permit~~ certify the minor's information and forward it to the bureau, and that official is directly responsible to the superintendent for this activity. When school is not in session, if a superintendent does not certify to the bureau the minor's information within 2 business days of the superintendent's receipt of the request, the minor may obtain a work permit directly from the bureau.

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2. Conditions for certification. The superintendent shall ~~sign a permit~~ certify and forward to the bureau the minor's information and application in the following circumstances:

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A. If the school is in session or the minor is attending summer school, the minor must be enrolled in school, not truant, not under suspension and passing a majority of courses during the current grading period. Upon request of the minor, the superintendent may waive the requirements for one grading period if, in the opinion of the superintendent, there are extenuating circumstances or if imposing the requirements would create an undue hardship for the minor;

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B. If school is not in session, the minor must furnish to the superintendent a certificate signed by the principal of the school last attended showing that the minor has satisfactorily completed kindergarten to grade 8 in the public schools or their equivalent. If the certificate can not be obtained, the superintendent shall examine the minor to determine whether the minor meets these educational standards;

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1 C. If the minor has been granted an exception to compulsory education under Title
2 20-A, section 5001-A, subsection 2, the minor must only submit proof of age as
3 provided in subsection 3; or

4 D. If school is in session, the superintendent may ~~have signed~~ certify to the bureau
5 the minor's information and forward the application for only one work permit for the
6 minor at any given time. The superintendent may ~~sign~~ forward to the bureau 2
7 applications for work permits for the minor for the summer vacation period.'

8 Amend the bill in section 2 in §775 by striking out all of subsection 3-A (page 2,
9 lines 34 to 42 and page 3, lines 1 and 2 in L.D.) and inserting the following:

10 '3-A. **Issuance of work permit.** The director or the director's agent shall issue the
11 work permit to the minor upon verification:

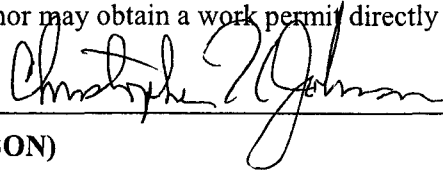
12 A. Of the proper ~~approval~~ certification by the superintendent or other designated
13 school official or, if the minor is seeking a permit directly from the bureau in
14 accordance with subsection 1, of satisfactory evidence of the minor's age pursuant to
15 subsection 3; and

16 B. That the employment conforms with the provisions of this subchapter.

17 The superintendent's office shall distribute the work permit to the minor, unless the minor
18 is seeking a permit directly from the bureau in accordance with subsection 1, in which
19 case the bureau shall issue the work permit directly to the minor and provide a copy to the
20 superintendent of schools of the school administrative unit in which the minor resides.
21 The work permit is valid only for the employer and positions listed on the permit as
22 issued by the bureau.'

23 **SUMMARY**

24 This amendment strikes the portions of the bill that allow a minor to obtain a work
25 permit directly from the Department of Labor, Bureau of Labor Standards when school is
26 not in session and replaces them with language providing that, when school is not in
27 session, if a school superintendent does not respond to a work permit request within 2
28 business days, the minor may obtain a work permit directly from the bureau.

29 **SPONSORED BY:** 

30 (Senator JOHNSON)

31 **COUNTY: Lincoln**