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Date: (Filing No. S- )

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 163, L.D. 431, Bill, “An Act To Amend the Laws Governing the Work Permit Process for Minors and To Conform the Laws Governing Allowable Places of Work for Minors to Federal Law”

Amend the bill in section 2 in §775 in subsection 1 in the 3rd line from the end (page 1, line 35 in L.D.) by striking out the following: "is not required to" and inserting the following: 'may'

Amend the bill in section 2 in §775 in subsection 1 in the 2nd line from the end (page 1, line 36 in L.D.) by striking out the following: "and" and inserting the following: 'or'

Amend the bill in section 2 in §775 in subsection 2 in paragraph A in the first line (page 2, line 3 in L.D.) by striking out the following: "~~or the minor is attending summer school~~" and inserting the following: 'or the minor is attending summer school'

Amend the bill in section 2 in §775 by inserting after subsection 6 the following:

**7. Definition.** As used in this section, "summer break" means the period of time between the last regular school day of a school year and Labor Day.'

Amend the bill by striking out all of section 3 and inserting the following:

**'Sec. 3. 26 MRSA §777,** as amended by PL 2001, c. 398, Pt. A, §2, is further amended to read:

**§777. Surrender and cancellation of permits**

~~The blank work permit required by section 775 must be formulated by the director and furnished by the director to the persons authorized to sign work permits. The forms of the permits must be approved by the Attorney General. Every work permit must be made out in triplicate. All triplicates, accompanied by the original papers on which the permits were signed, must be forwarded to the bureau by the officer signing the permits, within 24 hours of the time the permit was signed. The bureau shall examine the papers and promptly return them to the officer who sent them after validating the copies and retaining one copy for bureau files. The officer may then return to the minor all papers filed in proof of age. Whenever there is reason to believe that a work permit was~~

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1 ~~improperly signed~~ should be surrendered, the director, deputy director or agent shall  
2 notify the local superintendent of schools of the place in which the certificate was signed.  
3 The local superintendent shall cancel the permit when directed to do so by the director.  
4 ~~The director may develop an electronic transmittal system to fulfill these requirements.~~

5 ~~The director shall develop a master permit system for participants in summer youth~~  
6 ~~employment and training programs funded by the Department of Labor. The master~~  
7 ~~permit eliminates the need for prior approval by the director or the superintendent of~~  
8 ~~schools. A minor on a master permit may be removed from the master permit for the~~  
9 ~~same reasons and in the same manner as applicable to an individual work permit.'~~

## 10 SUMMARY

11 This amendment, which is the minority report of the Joint Standing Committee on  
12 Labor, Commerce, Research and Economic Development, allows a minor under 16 years  
13 of age to obtain a work permit from either the school superintendent or directly from the  
14 Department of Labor, Bureau of Labor Standards when school is not in session during  
15 summer break. Current law requires the minor to obtain the permit through a school  
16 superintendent regardless of whether school is in session. The amendment also restores a  
17 provision of law that was removed by the bill that specifies that a superintendent may  
18 sign a permit for a student who is attending summer school only if the student is enrolled  
19 in school, not truant, not under suspension and passing a majority of courses during the  
20 current grading period. The amendment retains one sentence of the language regarding  
21 triplicate permits and the master permit system, which was repealed by the bill, and  
22 amends it to allow the Department of Labor to direct the superintendent to cancel a  
23 permit when there is reason to believe the permit should be surrendered.

## 24 FISCAL NOTE REQUIRED

25 (See attached)