REGULAR CALENDAR

February 16, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Labor, Industrial and Rehabilitative Services to which was referred HB 125, relative to youth employment during the school year and at night.

WITHOUT RECOMMENDATION

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Labor, Industrial and Rehabilitative Services**
Bill Number:	**HB 125**
Title:	**relative to youth employment during the school year and at night.**
Date:	**February 16, 2023**
Consent Calendar:	**Regular Calendar**
Recommendation:	**WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: The bill as amended clearly defines and sets reasonable limits on the time 16 and 17 year-old students can work when school is in session.

Amendment: 2023-0328

Rep. Michael Cahill

Statement in support of Inexpedient to Legislate: If passed, this bill would create new restrictions on employers and their youth employees aged 16 or 17. In NH law, work restrictions for teens are more permissive when those employees are not expected to be in school full time. This bill seeks to narrow the designation of non-school time to a single week in spring plus the summertime calendar, as determined by the public school district in which the employer is located. Additionally, the bill would create a work-curfew prohibition for 16 and 17 year olds. This bill was filed in reaction to a change in law passed near the end of the prior session. That new language has been in effect only since June so we've not had time to see whether teen workers are negatively impacted by the current law. More importantly, there has been no consideration of those teens who might be hurt by these changes. We understand that it is cooperation between parents, teachers, employers, and the teens themselves that will best address the individual circumstances surrounding when older teens wish to work. This one-size-fits-all solution may well harm more young people than it could help.

Amendment:

Rep. Brian Seaworth

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Labor, Industrial and Rehabilitative Services

HB 125, relative to youth employment during the school year and at night. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: The bill as amended clearly defines and sets reasonable limits on the time 16 and 17 year-old students can work when school is in session.

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Rep. Brian Seaworth

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 125

BILL TITLE: relative to youth employment during the school year and at night.

DATE: February 16, 2023

LOB ROOM: 305-307

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Seaworth | Seconded by Rep. Prout | Vote: 10-10

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. M. Cahill | Seconded by Rep. Adjutant | AM Vote: 20-0

Amendment # 2023-0238h

Moved by Rep. M. Cahill | Seconded by Rep. B. Sullivan | Vote: 10-10

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Kristina Schultz, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:04:41 PM
Roll Call Committee Registers Report

2023 SESSION

Labor, Industrial and Rehabilitative Services

Bill #: 125 **Motion:** ITL **AM #:** _____ **Exec Session Date:** 2/16/23

Members	YEAS	Nays	NV
Infantine, William J. Chairman	✓		
Seaworth, Brian Vice Chairman	✓		
Avellani, Lino M.	✓		
Prout, Andrew J.	✓		
Love, David C.	✓		
Boyd, Stephen E.	✓		
Mason, James L. Proxy	✓		
Colcombe, Riché	✓		
Drago, Mike	✓		
Granger, Michael E Tudor	✓		
Sullivan, Brian M.		✓	
Baroody, Benjamin C.		✓	
Cahill, Michael D.		✓	
DiSilvestro, Linda A.		✓	
Soucy, Timothy A.		✓	
Bouchard, Donald J.		✓	
Adjutant, Joshua O		✓	
MacKenzie, Mark S.		✓	
Schultz, Kristina M. northway		✓	
LeClerc, Daniel J Velleux		✓	
TOTAL VOTE:	10	10	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:04:41 PM
Roll Call Committee Registers Report

2023 SESSION

Labor, Industrial and Rehabilitative Services

Bill #: 125 Motion: OTP/A AM #: 0325 Exec Session Date: 2/16/23

Members	YEAS	Nays	NV
Infantine, William J. Chairman	✓		
Seaworth, Brian Vice Chairman	✓		
Avellani, Lino M.	✓		
Prout, Andrew J.	✓		
Love, David C.	✓		
Boyd, Stephen E.	✓		
Mason, James L. BO Gent	✓		
Colcombe, Riché	✓		
Drago, Mike	✓		
Granger, Michael E Nixon	✓		
Sullivan, Brian M.	✓		
Baroody, Benjamin C.	✓		
Cahill, Michael D.	✓		
DiSilvestro, Linda A.	✓		
Soucy, Timothy A.	✓		
Bouchard, Donald J.	✓		
Adjutant, Joshua O	✓		
MacKenzie, Mark S.	✓		
Schultz, Kristina M. McHugh	✓		
LeClerc, Daniel J Vellenx	✓		
TOTAL VOTE:	20-0		

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:04:41 PM
Roll Call Committee Registers Report

2023 SESSION

Labor, Industrial and Rehabilitative Services

Bill #: 125 Motion: OTP/A AM #: 0320 Exec Session Date: 2/16/23

Members	YEAS	Nays	NV
Infantine, William J. Chairman		✓	
Seaworth, Brian Vice Chairman		✓	
Avellani, Lino M.		✓	
Prout, Andrew J.		✓	
Love, David C.		✓	
Boyd, Stephen E.		✓	
Mason, James L. Doesn't		✓	
Colcombe, Riché		✓	
Drago, Mike		✓	
Granger, Michael E Nuttor		✓	
Sullivan, Brian M.	✓		
Baroody, Benjamin C.	✓		
Cahill, Michael D.	✓		
DiSilvestro, Linda A.	✓		
Soucy, Timothy A.	✓		
Bouchard, Donald J.	✓		
Adjutant, Joshua O	✓		
MacKenzie, Mark S.	✓		
Schultz, Kristina M. Nekravey	✓		
LeClerc, Daniel J Vellelek	✓		
TOTAL VOTE:	10	10	

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 125

BILL TITLE: **relative to youth employment during the school year and at night.**

DATE: **January 26, 2023**

LOB ROOM: **305-307** **Time Public Hearing Called to Order:** **3:00 p.m.**

Time Adjourned: **3:27 p.m.**

Committee Members: Reps. Infantine, Seaworth, Schultz, Love, S. Boyd, Colcombe, B. Sullivan, Baroody, M. Cahill, DiSilvestro, Soucy, Bouchard, MacKenzie and LeClerc

Bill Sponsors:
Rep. M. Cahill

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- Rep. Cahill - fixes unintended consequences of youth employment on school nights or school weeks.
- Mike Somners, NHLRA - overall oppose but comfortable with everything except 9pm clock out is 10pm and won't go to 35 hours, instead of being responsible for clock-in clock-out times.
- Bruce Burke, ski NH and NFIB - opposes a cap on school night.
- Tracy McGraw - NH Department of Labor to answer 273 11-A - civil penalty up to $2,500 per violation. Inspections/fines or documentation to be able to work. Time frames have never been an issue. Kids haven't learned the full responsibility of the law.

Respectfully submitted,
Representative Schultz, Clerk

House Remote Testify

Labor, Industrial and Rehabilitative Services Committee Testify List for Bill HB125 on 2023-01-26

Support: 3 Oppose: 5 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/11/2023 7:55 PM
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Oppose	No	No	1/22/2023 10:42 PM
Medeiros, Jesse	Plainfield, NH bgtrck458@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/23/2023 11:48 AM
Karney, Stephen	Amherst, NH stephenakarney@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/23/2023 1:30 PM
Smith, Hayden	Hanover, NH hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	No	1/23/2023 2:25 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	1/25/2023 12:12 PM
Termini, Marcella	Manchester, NH marcellatermini@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2023 9:14 AM
Pierre, Sandra	Marlow, NH spierre@mailbox.org	An Elected Official	Myself	Oppose	No	No	1/26/2023 1:42 PM

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 125 Date 1/26/23

Committee Labor

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Bruce Berke	NFIB - SKI		New Hampshire		X

Jeffrey Creem

HB 125 - AS INTRODUCED

2023 SESSION

23-0168
05/04

HOUSE BILL ***125***

AN ACT relative to youth employment during the school year and at night.

SPONSORS: Rep. M. Cahill, Rock. 10

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill clarifies the number of hours a minor is permitted to work when school is in session and limits the evening hours a minor is permitted to work when school is in session.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0168
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to youth employment during the school year and at night.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Youth Employment Law; Prohibitions. Amend RSA 276-A:4, VI and VII to read as follows:

VI. [~~In any employer's predetermined designated work week during which school is in session for 5 days~~] ***Between the date on which the school year begins and the date the school year ends***, no youth 16 or 17 years of age who is duly enrolled in school shall work more than 35 hours [~~during that work week~~] ***in a week other than the school's vacation week***.

VII. No youth 16 or 17 years of age who is duly enrolled in school shall work for more than 6 consecutive days or 48 hours in any one week during school vacations, including summer vacation. For purposes of this paragraph, " summer vacation " means [~~June 1 through Labor Day~~] ***the date on which the school year ends and the date on which it begins for the following school year***. This prohibition shall not apply to youths 16 or 17 years of age who reside and work at a summer camp for minors.

2 New Section; Youth Employment Law; Night Work. Amend RSA 276-A by inserting after section 13 the following new section:

276-A:13-a Night Work. In addition to the provisions of RSA 276-A:4, during the months in which school is in session, no youth shall be permitted to work later than 9:00 p.m. on Sunday through Thursday, or later than 12:00 a.m. on Friday and Saturday.

3 Effective Date. This act shall take effect January 1, 2024.