

**Senate Bill No. 1988**

CHAPTER 1117

An act to add and repeal Section 1393.5 of the Labor Code, relating to employment.

[Approved by Governor September 29, 1996. Filed with Secretary of State September 30, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1988, M. Thompson. County of Lake: working hours: agricultural packing plants: minors.

(1) Existing law authorizes the Labor Commissioner, under specified circumstances, to issue an exemption from the laws otherwise regulating the employment of minors, to employers operating agricultural packing plants permitting those employers to employ minors 16 and 17 years of age during any day that school is not in session, for up to 10 hours per day during the peak harvest season.

This bill would provide, until January 1, 1999, that an exemption issued under those provisions may authorize the employment of a minor, who is enrolled in any public or private school in the County of Lake, for more than 48 hours but not more than 60 hours in any one week only upon prior written approval by the Lake County Board of Education. By requiring the Lake County Board of Education to take action with respect to an exemption for this purpose, the bill would impose a state-mandated local program.

(2) The bill would contain legislative findings as to the necessity of a special statute.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1393.5 is added to the Labor Code, to read:



1393.5. (a) Notwithstanding any other provision of this article or Article 2 (commencing with Section 49110) of Chapter 7 of Part 27 of the Education Code, an exemption issued pursuant to Section 1393 may authorize the employment of a minor, who is enrolled in any public or private school in the County of Lake, for more than 48 hours but not more than 60 hours in any one week only upon prior written approval by the Lake County Board of Education.

(b) This section shall remain in effect only until January 1, 1999, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 1999, deletes or extends that date.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the Constitution because of the unique nature of the agricultural industry in the County of Lake.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

