

House Concurrent Resolution No. 59

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHATZ (Sponsor), CURTMAN, SMITH (150), CAUTHORN, HOUGH, THOMSON, RUZICKA, ELMER, KORMAN, LOEHNER, WELLS, ROWLAND, BERNSKOETTER, NANCE, SOMMER, HAMPTON, ENTLICHER, JOHNSON, REDMON, KLIPPENSTEIN, BRATTIN, BURLISON, WHITE, WIELAND, DAVIS, FISHER, HOUGHTON, FREDERICK, McCAHERTY, REIBOLDT, LANT, FRAKER, HAEFNER, LASATER, PARKINSON, FITZWATER, CONWAY (14), ASBURY, NETH, WRIGHT AND DUGGER (Co-sponsors).

6337L.011

2 **WHEREAS**, the federal Fair Standard and Labor Act requires the United States
3 Department of Labor to protect the occupational health and welfare of youths and to
4 prevent their exploitation; and

5 **WHEREAS**, significant technological changes have taken place in agriculture since the
6 United States Department of Labor last addressed youth agriculture labor provisions, which are
7 incumbent upon the United States Department of Labor to periodically review as a function of
8 carrying out its responsibilities to protect youth; and

9
10 **WHEREAS**, according to the United States Department of Agriculture, 98% of domestic
11 farms are defined as family farms and 96.7% of these are defined as small businesses according
12 to the United States Small Business Administration's size standards; and

13
14 **WHEREAS**, the United States Department of Labor proposes regulations which would
15 prohibit youth from working with certain livestock older than six months of age and herding
16 animals in confined spaces or on horseback; and

17
18 **WHEREAS**, the proposed federal regulations would prohibit youth from performing any
19 task in which they handle pesticides, regardless of the pesticides toxicity; and

20
21 **WHEREAS**, the proposed federal regulations would prohibit youth from working on a
22 ladder or scaffolding that exceeds six feet elevation; and

23
24 **WHEREAS**, the proposed federal regulations would prohibit youth from the use of
25 electronic devises when operating machinery, precluding youth from operating farm equipment
26 with integrated systems and including those that enhance the safety of the equipment; and

27
28 **WHEREAS**, the proposed federal regulations would prohibit youth from working in
29 occupations in farm-product raw material wholesale trade industries, such as grain elevators, feed
30 lots, stockyards, and livestock auctions; and

31

32 **WHEREAS**, the Missouri General Assembly has a duty and obligation to protect the
33 legal rights of parents to make decisions regarding their children in any employment situation,
34 including their child's participation in agricultural labor; and

35

36 **WHEREAS**, our youth should not be prohibited from using their skills to engage in
37 agricultural employment which would allow them to earn and save money for their educational
38 expenses for college and trade schools; and

39

40 **WHEREAS**, the United States Department of Labor should not create any federal youth
41 program which would replace or eliminate current successful youth programs such as the 4-H
42 program, Future Farmers of America programs, and other similar youth and agricultural-based
43 programs; and

44

45 **WHEREAS**, the State of Missouri takes a firm and unwavering stand against any federal
46 law or regulation designed to prohibit or unfairly restrict our Missouri youth from engaging in
47 agricultural work and infringe on the rights of parents to make these determinations for their
48 children:

49

50 **NOW, THEREFORE, BE IT RESOLVED** that the members of the House of
51 Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate
52 concurring therein, hereby declare Missouri's firm and unwavering opposition to the recent
53 proposed federal regulations which would unfairly restrict and infringe on the rights of our youth
54 to engage in safe agricultural labor and employment; and

55

56 **BE IT FURTHER RESOLVED** that the Missouri General Assembly strongly affirms
57 the right of each state and the parents of our youth to be free from infringement by the federal
58 government into the lives and affairs of the states and parents in areas which are not expressly
59 provided to the federal government; and

60

61 **BE IT FURTHER RESOLVED** that the Missouri General Assembly strongly urges and
62 encourages the members of the Missouri Congressional delegation to express their opposition
63 to the proposed Department of Labor regulation which would severely and unfairly prohibit our
64 youth from engaging in agricultural labor; and

65

66 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
67 Representatives be instructed to prepare properly inscribed copies of this resolution for Hilda L.
68 Solis, Secretary of the United States Department of Labor, and each member of the Missouri
69 Congressional delegation.

✓