

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3300

(SENATE AUTHORS: MCEWEN, Murphy, Dzedzic, Putnam and Fateh)

DATE
04/25/2023

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Introduction and first reading
Referred to Rules and Administration

OFFICIAL STATUS

1.1 A resolution

1.2 memorializing Congress that the Legislature of the State of Minnesota reaffirms its

1.3 ratification of the Child Labor Amendment to the United States Constitution.

1.4 WHEREAS, widespread child labor was common in the 1800's and into the early 1900's;

1.5 and

1.6 WHEREAS, the United States Supreme Court ruled in 1918 in Hammer v. Dagenhart that

1.7 Congress did not possess the authority to regulate child labor prompting the writing of the Child

1.8 Labor Amendment; and

1.9 WHEREAS, the Child Labor Amendment authorizes Congress "to limit, regulate, and prohibit

1.10 the labor of persons under eighteen years of age" and recognizes state legislatures sharing that

1.11 authority with Congress; and

1.12 WHEREAS, the Child Labor Amendment was passed by Congress in 1924 and sent to the

1.13 states for ratification, and the Minnesota Legislature ratified it in 1933; and

1.14 WHEREAS, no state has ratified the Child Labor Amendment since 1937 and in 1941 the

1.15 United States Supreme Court overturned Hammer v. Dagenhart in United States v. Darby Lumber

1.16 Co.; and

1.17 WHEREAS, while United States v. Darby Lumber Co. remains precedent, since 2018 there

1.18 has been renewed interest in the ratification of the Child Labor Amendment, including passage by

1.19 the Hawaii Senate in 2021 and 2022 and introduction in several other state legislative chambers;

1.20 NOW, THEREFORE,

1.21 BE IT RESOLVED by the Legislature of the State of Minnesota that it reaffirms its ratification

1.22 of the Child Labor Amendment to the United States Constitution.

1.23 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed

1.24 to prepare copies of this memorial and transmit them to the President of the United States, the

- 2.1 President and the Secretary of the United States Senate, the Speaker and the Clerk of the United
- 2.2 States House of Representatives, and Minnesota's Senators and Representatives in Congress.