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SPRINGFIELD

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FILE NO. S-1418

LABOR:

Appearance of A Minor Under
the Age of Sixteen In a Theatrical
Production Where Liquor Is Served

Honorable Edward Keefe
State's Attorney
Rock Island County
Courthouse
Rock Island, Illinois 61201

Dear Mr. Keefe:

I have your letter wherein you have asked for an interpretation of the Child Labor Law. (Ill. Rev. Stat. 1977, ch. 48, par. 31.1 et seq.) You have stated that in your community there is a dinner theatre that puts on public performances of legitimate stage plays and musicals; that the theatre has a liquor license and that the theatre proposes to utilize, as actors in the shows, persons who are under the age of 16 years. You have pointed out that section 7 of the Child Labor Law (Ill. Rev. Stat. 1977, ch. 48, par. 31.7) provides that minors under the age of 16

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cannot work in any place or establishment in which intoxicating liquors are served or sold for consumption on the premises. You ask whether the provisions of section 8 of the Child Labor Law (Ill. Rev. Stat. 1977, ch. 48, par. 31.8) permit minors under the age of 16 to work as an actor in this theatre. Specifically, you ask the following three questions:

- "1. Is the use of minors under age 16 in theatrical productions under the above described circumstances a violation of the Illinois Child Labor Law?
2. If such performances are otherwise prohibited, would they be permitted if the children were not paid until after they were of age?
3. If such performances are otherwise prohibited, would they be permitted if the children were uncompensated volunteers?"

Section 7 of the Child Labor Law (Ill. Rev. Stat. 1977, ch. 48, par. 31.7) provides, in pertinent part, as follows:

"No minor under the age of 16 years of age shall be employed, permitted or suffered to work:

* * *

13. In any place or establishment in which intoxicating alcoholic liquors are served or sold for consumption on the premises, or in which such liquors are manufactured or bottled;

* * *

Section 8 of the Child Labor Law (Ill. Rev. Stat. 1977, ch. 48, par. 31.8) provides in pertinent part:

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"Notwithstanding the provisions of this Act,
the City or County Superintendent of Schools, or
their duly authorized agents, are authorized to
issue an employment certificate for any minor
under sixteen (16) years of age, said certifi-
cate authorizing and permitting the appearance
of such minor in a play or musical comedy with a
professional traveling theatrical production on
the stage of a duly licensed theatre wherein not
more than two performances are given in any one day
and not more than eight performances are given in
any week, * * * ."

You have inquired as to whether the provisions of
section 8 of the Child Labor Law (Ill. Rev. Stat. 1977,
ch. 48, par. 31.8) are an exception to the quoted provisions
of section 7 of the Act. In my opinion, section 8 of the
Child Labor Law is an exception to other provisions of the
Act.

The construction of a statute is necessary only where
the language used is uncertain or ambiguous. (Bergeson v.
Mullinix (1948), 399 Ill. 470.) Furthermore, a statute
should be so read and construed, if possible, that no word,
clause, or sentence is rendered superfluous or meaningless.
Peacock v. Judges Retirement System of Illinois (1957),
10 Ill. 2d 498.

In response to your first question, the provisions of
section 8 of the Act are clear and unambiguous. The under-
lined portion of section 8 of the Act intends that the
provisions of section 8 be an exception to the other pro-

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visions of the Act. You have indicated in your letter that the various certification and other requirements of section 8 of the Act will be met, which would certainly be required in order for a minor under the age of 16 to appear in a play or musical comedy as described in this section. Therefore, I am of the opinion that section 8 of the Child Labor Law (Ill. Rev. Stat. 1977, ch. 48, par. 31.8) permits the appearance of a minor under the age of 16 in a play or musical comedy, under the circumstances described in your letter, with a professional traveling theatrical production, provided that the various certification and other requirements of section 8 of the Act are met.

Since the appearance of a minor under the age of 16 would be permitted under the provisions of section 8, I find it unnecessary to answer your second and third questions.

Very truly yours,

A T T O R N E Y G E N E R A L