




# LEGISLATIVE RESEARCH SERVICES

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## Memorandum

TO: Representative Kurt Olson  
FROM: Roger Withington, Legislative Analyst   
RE: Wage Rates Tied to the Minimum Wage Rate  
LRS Report 09.185

You asked if there are any provisions in Alaska law that tie wages paid to individuals who work in a specific occupation to the minimum wage rate. Specifically you asked if there are provisions in Alaska law similar to AS 23.10.065(b), which requires public school bus drivers to be paid at a rate of not less than two times the minimum wage established under AS 23.10.065(a).

Using the on-line annotated 2008 Alaska Statutes we identified two laws that generally fit these criteria: AS 23.10.055 and AS 33.30.201. We provide the relevant section from each of these laws below.

AS 23.10.055 Exemptions; compensation of executives, administrators, and professionals.

(b) Notwithstanding (c) of this section, an individual employed in a bona fide executive, administrative, or professional capacity shall be compensated on a salary or fee basis at a rate of not less than two times the state minimum wage for the first 40 hours of employment each week, exclusive of board or lodging that is furnished by the individual's employer.

AS 33.30.201 Compensation of prison inmates; deductions; disbursement; liens.

(a) Each prisoner who is productively employed, as defined in AS 33.30.191(g)(1) or (3) - (5), may receive for that work compensation at a rate determined by the commissioner under this section if the money is available from legislative appropriations. Compensation established by the commissioner under this section may not exceed 50 percent of the minimum wage established in AS 23.10.065; however, if required to comply with a federal statute or regulation, a higher compensation may be established by the commissioner.

In addition, there are a number of laws that use the minimum wage, or a factor thereof, as a measure or a guideline of compensation. Some examples of these laws include AS 23.10.060, Payment of Overtime; AS 23.20.406, Extended Unemployment Compensation; AS 23.30.041 Rehabilitation and Reemployment of Injured Workers; and AS 23.30.220 Determination of Spendable Weekly Wage.

We have attached copies of both of the laws noted above to this memorandum. Please note that, although we are confident we have identified all of the laws of this nature, due to our search limitations and the disparate way in which laws are written, our search may not be exhaustive.

We hope you find this information useful. Please let us know if you have questions or need additional information.