

LEGAL SERVICES

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MEMORANDUM

March 16, 2010

SUBJECT: Amendment reversing change made in 2009 revisor's bill
(CSSB 265(JUD), Work Order No. 26-LS1220\P, Am. P.1)

TO: Representative Jay Ramras
Chair of the House Judiciary Committee
Attn: Jane Pierson

FROM: Kathryn L. Kurtz 
Assistant Revisor

Enclosed is an amendment to the 2010 revisors' bill.

This amendment would reverse a change made in last year's revisor's bill. That bill changed the phrase "newsboys' services" in AS 23.20.526(a)(2) to "services performed by an individual under 18 years of age."¹ The change was made to avoid the use of a gender specific term. However, we have been informed by Mr. John McKay (an Anchorage attorney) that this change has been interpreted by the Department of Labor and Workforce Development as having a substantive effect. Apparently the term "newsboys" has been interpreted to include individuals both over and under age 18. To correct this situation, the enclosed amendment would change AS 23.20.526(a)(2) back to the way it was, using the phrase "newsboys' services." The change would be retroactive.

KLK:lmb
10-006.lmb

Enclosure

¹ AS 23.20.526(a)(2) now provides, in part:

(a) In this chapter, unless the context otherwise requires, "employment" does not include

...

(2) service performed by an individual under 18 years of age in selling or distributing newspapers on the street or from house to house;

...