

HOUSE BILL NO. 355

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE VANCE

Introduced: 2/23/26

Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to agricultural loans; relating to agricultural cooperatives; relating to**
2 **workers' compensation; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 03.10.020(a) is amended to read:

5 (a) The Board of Agriculture and Conservation (AS 03.09.010) may

6 (1) make a loan to

7 (A) an individual resident farmer, homesteader, or a
8 partnership, cooperative, or corporation composed of farmers and
9 homesteaders for

10 (i) clearing land for agricultural purposes;

11 (ii) development of farms;

12 (iii) storage and processing of farm produce;

13 (iv) the purchase of livestock or machinery;

14 (v) in-state manufacturing of food or production of

1 animal feed; or
2 (vi) the cost of shipping to and within the state for the
3 purposes listed in (i) - (v) of this subparagraph;
4 (B) an individual state resident, or a partnership, cooperative,
5 or corporation for
6 (i) storage and processing plants for agricultural
7 products;
8 (ii) the commercial production or processing of
9 horticultural products in the state;
10 (iii) the commercial production or processing of animal
11 feed in the state;
12 (iv) the raising or care of animals in the state for the
13 purpose of marketing their fur;
14 (v) in-state manufacturing of food or production of
15 animal feed; or
16 (vi) the cost of shipping to and within the state for the
17 purposes listed in (i) - (v) of this subparagraph;
18 (2) designate agents and delegate its powers to them as necessary;
19 (3) adopt regulations necessary to carry out its functions, including
20 regulations to establish reasonable fees for services provided and charges for
21 collecting the fees;
22 (4) establish amortization plans for repayment of loans, which may
23 include delayed payments of principal and interest for not to exceed five years;
24 (5) enter into agreements with private lending institutions, other state
25 agencies, or agencies of the federal government to carry out the purposes of this
26 chapter;
27 (6) collect the fees and collection charges established under this
28 subsection;
29 (7) refinance a debt obligation incurred by a borrower under this
30 section or through another lender for a purpose authorized under (1) of this subsection
31 if the borrower otherwise qualifies for a loan under this chapter.

1 * **Sec. 2.** AS 23.30.230(a) is amended to read:

2 (a) The following persons are not covered by this chapter:

3 (1) a part-time babysitter;

4 (2) a cleaning person;

5 (3) harvest help and similar part-time or transient help;

6 (4) a person employed as a sports official on a contractual basis and
7 who officiates only at sports events in which the players are not compensated; in this
8 paragraph, "sports official" includes an umpire, referee, judge, scorekeeper,
9 timekeeper, organizer, or other person who is a neutral participant in a sports event;

10 (5) a person employed as an entertainer on a contractual basis;

11 (6) a commercial fisherman, as defined in AS 16.05.940;

12 (7) an individual who drives a taxicab and whose compensation and
13 written contractual arrangement is as described in AS 23.10.055(a)(13), unless the
14 hours worked by the individual or the areas in which the individual may work are
15 restricted except to comply with local ordinances;

16 (8) a participant in the Alaska temporary assistance program
17 (AS 47.27) who is engaged in work activities required under AS 47.27.035 other than
18 subsidized or unsubsidized work or on-the-job training;

19 (9) a person employed as a player or coach by a professional hockey
20 team if the person is covered under a health care insurance plan provided by the
21 professional hockey team, the coverage is applicable to both work-related and
22 nonwork-related injuries, and the coverage provides medical and related benefits as
23 required under this chapter, except that coverage may not be limited to two years from
24 the date of injury as described under AS 23.30.095(a); in this paragraph, "health care
25 insurance" has the meaning given in AS 21.12.050;

26 (10) a person working as a qualified real estate licensee who performs
27 services under a written contract that provides that the person will not be treated as an
28 employee for federal income tax or workers' compensation purposes; in this
29 paragraph, "qualified real estate licensee" means a person who is required to be
30 licensed under AS 08.88.161 and whose payment for services is directly related to
31 sales or other output rather than the number of hours worked;

1 (11) a transportation network company driver who provides a
2 prearranged ride or is otherwise logged onto the digital network of a transportation
3 network company as a driver; [AND]

4 (12) a person employed as an independent contractor; a person is an
5 independent contractor for the purposes of this section only if the person

6 (A) has an express contract to perform the services;

7 (B) is free from direction and control over the means and
8 manner of providing services, subject only to the right of the individual for
9 whom, or entity for which, the services are provided to specify the desired
10 results, completion schedule, or range of work hours, or to monitor the work
11 for compliance with contract plans and specifications, or federal, state, or
12 municipal law;

13 (C) incurs most of the expenses for tools, labor, and other
14 operational costs necessary to perform the services, except that materials and
15 equipment may be supplied;

16 (D) has an opportunity for profit and loss as a result of the
17 services performed for the other individual or entity;

18 (E) is free to hire and fire employees to help perform the
19 services for the contracted work;

20 (F) has all business, trade, or professional licenses required by
21 federal, state, or municipal authorities for a business or individual engaging in
22 the same type of services as the person;

23 (G) follows federal Internal Revenue Service requirements by

24 (i) obtaining an employer identification number, if
25 required;

26 (ii) filing business or self-employment tax returns for
27 the previous tax year to report profit or income earned for the same
28 type of services provided under the contract; or

29 (iii) intending to file business or self-employment tax
30 returns for the current tax year to report profit or income earned for the
31 same type of services provided under the contract if the person's

1 business was not operating in the previous tax year; and

2 (H) meets at least two of the following criteria:

3 (i) the person is responsible for the satisfactory
4 completion of services that the person has contracted to perform and is
5 subject to liability for a failure to complete the contracted work, or
6 maintains liability insurance or other insurance policies necessary to
7 protect the employees, financial interests, and customers of the person's
8 business;

9 (ii) the person maintains a business location or a
10 business mailing address separate from the location of the individual
11 for whom, or the entity for which, the services are performed;

12 (iii) the person provides contracted services for two or
13 more different customers within a 12-month period or engages in any
14 kind of business advertising, solicitation, or other marketing efforts
15 reasonably calculated to obtain new contracts to provide similar
16 services; **and**

17 **(13) a person who is a member of an agricultural cooperative; in**
18 **this paragraph, "agricultural cooperative" means a cooperative that is organized**
19 **and operated for the purpose of**

20 **(A) marketing agricultural products of members of the**
21 **cooperative or of other producers of agricultural products, and providing**
22 **a member with the proceeds of product sales, less the necessary marketing**
23 **expenses, based on either the quantity or the value of the products**
24 **furnished by the member; or**

25 **(B) purchasing agricultural supplies and equipment for the**
26 **use of members or other persons, and providing the supplies and**
27 **equipment to the members at actual cost, plus necessary expenses.**

28 * Sec. 3. This Act takes effect July 1, 2026.