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Referred: Rules

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Original sponsors: Fanning and Faiks

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

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CS FOR SENATE BILL NO. 457 (L&C)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act exempting certain persons employed in connection with game or aquatic forms of life or employed as commissioned automotive technicians from the Alaska Wage and Hour Act; and providing for an effective date."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 23.10.055 is amended to read:

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Sec. 23.10.055. EXEMPTIONS. The provisions of AS 23.10.050 -

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23.10.150 do not apply to

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(1) an individual employed in agriculture, which includes

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farming in all its branches and, among other things, includes the

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cultivation and tillage of the soil, dairying, the production, cul-

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tivation, growing, and harvesting of any agricultural or horticultural

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commodities, the raising of livestock, bees, fur-bearing animals, or

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poultry, and any practices, including forestry and lumbering opera-

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tions, performed by a farmer or on a farm as an incident to or in

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conjunction with the farming operations, including preparation for

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market, delivery to storage or to market or to carriers for transpor-

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tation to market;

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(2) an individual employed in the catching, trapping,

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cultivating or farming, netting, pursuing, or taking of any kind of

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game, fish, shellfish, or other aquatic forms of animal and vegetable

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life;

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(3) an individual employed in the hand picking of shrimp;

- 1 (4) an individual employed in domestic service, including a
2 baby-sitter, in or about a private home;
- 3 (5) an individual employed by the United States or by the
4 state or political subdivision of the state including prisoners not on
5 furlough detained or confined in prison facilities;
- 6 (6) an individual engaged in the activities of a nonprofit
7 religious, charitable, cemetery or educational organization where the
8 employer-employee relationship does not, in fact, exist, and where
9 services rendered to the organization are on a voluntary basis;
- 10 (7) an employee engaged in the delivery of newspapers to
11 the consumer;
- 12 (8) an individual employed solely as a watchman or caretak-
13 er of a plant or property that is not in productive use for a period
14 of four months or more;
- 15 (9) an individual employed in a bona fide executive, admin-
16 istrative or professional capacity or in the capacity of an outside
17 salesman or a salesman who is employed on a straight commission basis;
- 18 (10) an individual employed in the search for placer or
19 hard rock minerals;
- 20 (11) an individual under 18 years of age employed on a
21 part-time basis not more than 30 hours in a week; [OR]
- 22 (12) employment by a nonprofit educational or child care
23 facility to serve as a parent of children while the children are in
24 residence at the facility if the employment requires residence at the
25 facility and is compensated on a cash basis exclusive of room and
26 board at an annual rate of not less than
- 27 (A) \$10,000 for an unmarried person; or
28 (B) \$15,000 for a married couple; or
- 29 (13) an individual employed as a commissioned automotive

1 technician.

2 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).