

1 IN THE SENATE

BY FRANK AND FAHRENKAMP

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SENATE BILL NO. 151

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act exempting certain persons employed as commis-
sioned automotive technicians from the Alaska Wage
and Hour Act; and providing for an effective date."

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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 -
23.10.150 do not apply to

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(1) an individual employed in agriculture, which includes
farming in all its branches and, among other things, includes the
cultivation and tillage of the soil, dairying, the production, cul-
tivation, growing, and harvesting of any agricultural or horticultural
commodities, the raising of livestock, bees, fur-bearing animals, or
poultry, and any practices, including forestry and lumbering opera-
tions, performed by a farmer or on a farm as an incident to or in
conjunction with the farming operations, including preparation for
market, delivery to storage or to market or to carriers for transpor-
tation to market;

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(2) an individual employed in the catching, trapping,
cultivating or farming, netting or taking of any kind of fish, shell-
fish, or other aquatic forms of animal and vegetable life;

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

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(4) an individual employed in domestic service, including a
baby-sitter, in or about a private home;

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(5) an individual employed by the United States or by the

1 state or political subdivision of the state including prisoners not on
2 furlough detained or confined in prison facilities;

3 (6) an individual engaged in the activities of a nonprofit
4 religious, charitable, cemetery or educational organization where the
5 employer-employee relationship does not, in fact, exist, and where
6 services rendered to the organization are on a voluntary basis;

7 (7) an employee engaged in the delivery of newspapers to
8 the consumer;

9 (8) an individual employed solely as a watchman or caretak-
10 er of a plant or property that is not in productive use for a period
11 of four months or more;

12 (9) an individual employed in a bona fide executive, admin-
13 istrative or professional capacity or in the capacity of an outside
14 salesman or a salesman who is employed on a straight commission basis;

15 (10) an individual employed in the search for placer or
16 hard rock minerals;

17 (11) an individual under 18 years of age employed on a
18 part-time basis not more than 30 hours in a week; [OR]

19 (12) employment by a nonprofit educational or child care
20 facility to serve as a parent of children while the children are in
21 residence at the facility if the employment requires residence at the
22 facility and is compensated on a cash basis exclusive of room and
23 board at an annual rate of not less than

24 (A) \$10,000 for an unmarried person; or

25 (B) \$15,000 for a married couple; or

26 (13) an individual employed as a commissioned automotive
27 technician.

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