

BY SEN. FAIKS

1 IN THE SENATE

2

SENATE BILL NO. 467

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act exempting holders of certain permits or
7 licenses from the Alaska Wage and Hour Act."

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

9 * Section 1. AS 23.10.055 is amended to read:

10 Sec. 23.10.055. EXEMPTIONS. The provisions of AS 23.10.050 -
11 23.10.150 do not apply to

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

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

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

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

28 (5) an individual employed by the United States or by the
29 state or political subdivision of the state including prisoners not on

1 furlough detained or confined in prison facilities;

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

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

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

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

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

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

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

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

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

25 (13) a person who

26 (A) holds a license or commercial use permit issued
27 under AS 08.54 while engaged in providing commercial services to
28 big game hunters; or

29 (B) is employed by a licensee or permit holder under

1 AS 08.54 while the person is engaged in providing or assisting to
2 provide commercial services to big game hunters.