

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 418 (FINANCE) am**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Amended: 3/6/92**

**Offered: 2/26/92**

**Sponsor(s): REPRESENTATIVES MACLEAN, Koponen, Moyer**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act permitting the employment of certain minors in the entertainment industry;  
2 requiring employers to provide certain employees who are minors with a break from  
3 work."

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

5 \* Section 1. AS 23.10.335 is amended to read:

6           Sec. 23.10.335. EMPLOYMENT OF CHILDREN UNDER 14. A minor under 14 years  
7 of age may not be employed or allowed to work in an occupation outside school hours except  
8 in

9                   (1) domestic employment, baby-sitting, and handiwork in and about private  
10 homes;

11                   (2) newspaper delivery or sales;

12                   (3) employment as a performer in the entertainment industry; or

13                   (4) canneries in warehouse work casing cans under competent supervision.

14 \* Sec. 2. AS 23.10.350 is amended by adding new subsections to read:

1 (c) Except as provided in (e) of this section, a person under 18 years of age who is  
2 scheduled to work for six consecutive hours or more is entitled to a break of at least 30 minutes  
3 during the course of the work shift. The break required by this subsection may be scheduled at  
4 the convenience of the employer but must occur after the first hour and a half of work and before  
5 the beginning of the last hour of work. A person under 18 years of age who works for five  
6 consecutive hours without a break is entitled to a break of at least 30 minutes before continuing  
7 to work. This subsection may be modified by the terms of a collective bargaining agreement that  
8 covers the employment of the person under 18, or by mutual agreement between the employer  
9 and the employee.

10 (d) Notwithstanding AS 23.10.055(11), failure to provide the unpaid break periods  
11 required by (c) of this section creates a minimum wage liability under AS 23.10.065 for the break  
12 that the employee did not receive or received late. A claim for minimum wage in lieu of the  
13 unpaid break is enforceable under AS 23.10.110.

14 (e) The provisions of (c) of this section do not apply to

15 (1) an individual employed in the catching, trapping, cultivating or farming,  
16 netting, or taking of any kind of fish, shellfish, or other aquatic forms of animal and vegetable  
17 life;

18 (2) an individual employed by a member of the individual's family; in this  
19 paragraph, "member of the individual's family" means the individual's spouse, parent, step-  
20 parent, grandparent, step-grandparent, great grandparent, step-great grandparent, brother, sister,  
21 uncle, aunt, great-uncle, or great-aunt, whether of the whole or half blood or by adoption or by  
22 marriage."