

2d SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 418 (RULES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE

Offered: 5/11/92
Referred: Today's Calendar

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

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 23.10.330 is amended by adding a new subsection to read:

6 (b) Notwithstanding AS 23.10.335 - 23.10.350, a minor of any age may be employed as
7 a performer in the entertainment industry. The provisions of AS 23.10.335 - 23.10.350 and
8 AS 23.10.360(a) and 23.10.360(c) concerning times, hours, or days of work do not apply to the
9 employment of a minor as a performer in the entertainment industry. The department may adopt
10 regulations to implement this subsection. In this subsection, a "performer in the entertainment
11 industry" means a performer in advertisements and television, film, radio, and theater productions.

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

13 (c) Except as provided in (e) of this section, a person under 18 years of age who is
14 scheduled to work for six consecutive hours or more is entitled to a break of at least 30 minutes

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

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

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

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

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