

## SENATE BILL NO. 303

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

Introduced: 5/17/91  
Referred: L&C, Resources

## A BILL

## FOR AN ACT ENTITLED

1 "An Act exempting guide-outfitters engaged in guide-outfitting in the field from the Alaska  
2 Wage and Hour Act."

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

4 \* Section 1. AS 23.10.055 is amended to read:

5 Sec. 23.10.055. EXEMPTIONS. The provisions of AS 23.10.050 - 23.10.150 do not  
6 apply to

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

14 (2) an individual employed in the catching, trapping, cultivating or farming,

1 netting or taking of any kind of fish, shellfish, or other aquatic forms of animal and vegetable  
2 life;

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

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

6 (5) an individual employed by the United States or by the state or political  
7 subdivision of the state, except as provided in AS 23.10.065(b), including prisoners not on  
8 furlough detained or confined in prison facilities;

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

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

13 (8) an individual employed solely as a watchman or caretaker of a plant or  
14 property that is not in productive use for a period of four months or more;

15 (9) an individual employed in a bona fide executive, administrative, or  
16 professional capacity or in the capacity of an outside salesman or a salesman who is employed  
17 on a straight commission basis;

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

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

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

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

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

27 **(13) a person holding a guide-outfitter, class-A guide-outfitter, or assistant**  
28 **guide-outfitter license under AS 08.54 while the person is engaged in providing big game**  
29 **commercial hunting services to a hunter in the field; in this paragraph, "field" means an**  
30 **area outside of established year-round dwellings, businesses, or other developments usually**  
31 **associated with a city, town, or village; "field" does not include permanent hotels or**

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roadhouses on the state road system or state or federally maintained airports.