

HB

195

STATE OF ALASKA  
THE LEGISLATURE

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POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

*House Transportation:*

*4-8-87*

# Alaska State Legislature



## House of Representatives

### Committee on Transportation

Rep. Bette Cato, Chairman

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4858

April 10, 1987

FOR TODAY'S MEETING YOU HAVE:

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A FOLDER ON HB 195 THAT INCLUDES:

- \* a copy of HB 195
- \* a fiscal note from the Dept. of Labor
- \* a copy of the statutes impacted by HB 195
- \* a letter of support
- \* a position paper from the Dept. of Labor

Original sponsor: Transportation Committee

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 195 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act excluding services provided by certain taxi-  
7 cab operators from the definition of employment for  
8 unemployment compensation coverage; and providing for  
9 an effective date."

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

11 \* Section 1. AS 23.20.526(a) is amended by adding a new paragraph to  
12 read:

13 (23) service performed under contract as a taxicab operator.

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

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

Bill Version: HB 195  
Publish Date: \_\_\_\_\_

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_ Agency Affected: Labor  
Title: "An Act excluding services provided by certain taxicab operators..." BRU: Employment Security  
Sponsor: House Transportation Committee Components: Unemployment Insurance  
Requestor: House Transportation Committee

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: Joe Sitton, Director Phone: 465-2712  
Division: Employment Security Date: 4/3/87

Approved by Commissioner: Jim Sandson Date: 4/3/87  
Agency: Labor

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)
  - Senate Secretary

Bill No. House Bill 195

Date April 3, 1987

Title "An Act excluding services provided by certain taxicab operators from the definition of employment for unemployment compensation coverage, etc."

Contact: Joe Sitton  
465-2712

Eileen Plate  
465-2700

House Bill 195 seeks to categorically exclude certain taxicab operators from the definition of employment for the purposes of unemployment insurance coverage.

The Department is puzzled as to the reason for the proposed exclusion since persons, including taxicab operators, who actually are performing as independent contractors, are presently excluded from unemployment insurance coverage under AS 23.20.525(a)(10). Under this current law, a person's status as an independent contractor is shown to exist if:

(A) the individual has been and will continue to be free from control and direction in connection with the performance of the service, both under the individual's contract for the performance of service and in fact;


(B) the service is performed either outside the usual course of the business for which the service is performed or is performed outside of all the places of business of the enterprise for which the service is performed; and

(C) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed;

Examination of the employee/employer relationship in this regard is appropriate, and the Department supports the application of these criteria in making such determinations.

The exemption of taxicab operators from the independent contractor test, as appears to be proposed in this bill, is not in the interest of Alaska's workers, and the Department opposes it.

APPROVED:

  
Jim Sampson, Commissioner  
Department of Labor

**POSITION PAPER/**Department of Labor

# HOUSE COMMITTEE REPORT

(7)

Date referred: 3/20/87

FURTHER REFERRALS: Labor & Commerce

DATE: April 8, 1987

The Transportation Committee has considered HB 195

"An Act excluding services provided by certain taxicab operators from the definition of employment for unemployment compensation coverage; and providing for an effective date."

**RECOMMENDS:**

- replace with CSHB 195(Trsp)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis.

**SIGNING DO PASS:**

*E. J. B. Boush*  
*Mr. W. Miller*  
*Bill Hudson*  
*Butte Oats*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Butte Oats*  
 Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** April 3, 1987

**SIGN-IN**

**Subject of meeting:**

\*HB 195 "An Act excluding services provided by certain taxicab operators from the definition of employment for unemployment compensation coverage; and providing for an effective date."

NAME <small>Please include title</small>	ADDRESS <small>Please use full address. Please include zip.</small>	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
Jim COATE ASST DIR, UT	Box 3-7000 Juneau AK 99802	465 2712	Dept LABOR	YES
Stanley Burrows Program Coordinator	Box 3-7000 Juneau AK 99802	465-4531	Dept of Labor	NO
Nancy Hodges	1718 Edgcomb Dr. Sitka, AK 99835	(907) 747-6717	Blatchley Middle School	NO
Nancy Chaves	P.O. Box 2061 Sitka, AK 99835	(907) 747-6758	Blatchley Middle School	NO
Cyndi Swanson	P.O. Box 2982 Sitka, AK 99835	747-8699	Blatchley Middle School	NO
Gene Hingren	236 Observatory Sitka, AK 99835	747-8353	Blatchley MS	NO
Kathy Bachman	620 Merrill St Sitka AK 99835	747-5163	Blatchley MS	NO
Andy Smirich	200 Park St Sitka, AK 99835 7-8782	7-8782	BMS	NO
Don Kubly	Box 210207 Auke Bay	784-5451	Yellow, digressal crab	YES

\* indicates first public hearing