

HB

461



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

Kevin "Pat" Parnell

Room 128

State Capitol
Juneau, AK 99801-1182

465-2647

SPONSOR STATEMENT FOR HOUSE BILL 461

House Bill 461 would allow children under the age of 14 to work as actors in film projects being produced in Alaska. Under the current law, children under the age of 14 cannot work unless they are employed in domestic employment; newspaper delivery or sales; or in canneries in warehouse work casing cans.

This was brought to my attention by a constituent and then by the State of Alaska Division of Tourism. They cited the example of a young four-year-old girl in Fairbanks that was offered a role in the CBS television series "Rescue 911." She was all set to do the role when the State of Alaska Department of Labor informed her parents that she could not do the work because of existing laws.

The current statute was the law borrowed from the federal statutes when child labor laws first came into effect in this country. It was instituted as territorial law, and then realized in the statutes in 1949, when Ernest Gruening was the Territorial Governor of Alaska.

HB 461 will allow for the Department of Labor to enable child actors to perform in a safe setting in Alaska. With film projects in Alaska having over \$9 million dollars in expenditures during the years of 1990-91, this legislation will ensure that nothing hinders those seeking to capture the greatness of Alaska and its citizens on film, including offering the chances of a lifetime to our young children.

I would appreciate your support in passing this legislation out of the House Health, Education, and Social Services Committee.

Committees: Judiciary, Labor & Commerce, Military & Veterans Affairs
Finance Subcommittee, Administration

Sponsor Statement

BILL NO: House Bill No. 461

DATE: February 26, 1992

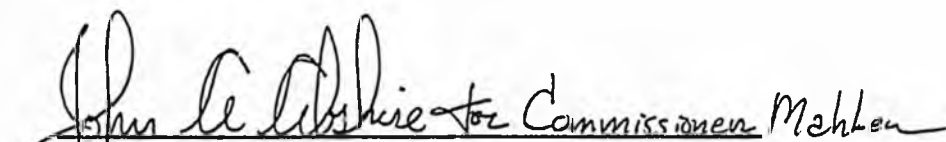
TITLE: "An Act permitting the employment of certain minors in the entertainment industry; and providing for effective date."

CONTACT: Arbe Williams
465-2700

House Bill No. 461 amends AS 23.10.335 to allow minor children under the age of 14 to be employed as performers in the entertainment industry pursuant to regulations developed by the Department.

The Department of Labor supports this legislation in order to correct the current circumstances faced by the entertainment industry in Alaska. At present, there is no flexibility in the law to allow the employment of children under 14 as performers.

This legislation is not expected to require additional program support.


Commissioner
Department of Labor

POSITION PAPER/Department of Labor

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO : HB 461

Revision Date: _____
 Title: "An Act relating to employment of certain minors in the entertainment industry..."
 Sponsor: Representative Parnell
 Requestor: House HES

Department Affected: Labor
 BRU: Labor Standards & Safety
 Component: Wage & Hour
 COMPONENT SERIAL NO. 345

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Randy Carr, Acting Director Phone: 264-2452
 Division: Labor Standards & Safety Date: 2/24/92
 Approved by Commissioner: John Abshire, Acting Commissioner
 Agency: Department of Labor Date: 2/24/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 12, 1992

FURTHER REFERRALS:

Labor & Commerce

Date of Committee Action: 2/25/92

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 461

HOUSE BILL NO. 461

MINORS UNDER 14 IN ENTERTAINMENT JOBS

"An Act permitting the employment of certain minors in the entertainment industry; and providing for an effective date."

RECOMMENDATIONS: the same title
 be replaced with _____ a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact 1

fiscal note(s) _____

zero fiscal note Dept of Labor

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>Betty Davis</i>	✓				
<i>J. G. [Signature]</i>	✓				
<i>Cheri Davis</i>	✓				
<i>Mark [Signature]</i>	X				

[Signature]
CHAIRMAN'S SIGNATURE



ALASKA
(affiliate of Northwest)
880 N. Street - Suite 304
Anchorage, AK 99501
(907) 258-0188
FAX: (907) 276-0388

February 14, 1992

Representative Pat Parnell
Room 128, Capitol
P.O. Box V
Juneau, AK 99811

Dear Representative Parnell:

I am writing in support of the amendment to the existing House Bill, permitting the employment of certain minors in the entertainment industry.

As an elected officer to the Association of Independent Commercial Producers (AICP), Alaska chapter, it has come to my attention the need to address an important segment of film making in Alaska . . . child labor. Often times the opportunity arises to focus on minor children as principals or extra's in commercial, documentary and feature film making in Alaska.

With a lack of labor guidelines addressing this segment of film entertainment, producers in Alaska and their counterparts from the Lower 48 states and abroad are met with an archaic labor interpretation which clearly does not address Alaska's new and growing industry.

This brings me to the second point of writing this particular letter. When the time comes to rewrite or revise guidelines in regard to minor children, AICP-Alaska would appreciate being included in the process in an advisory capacity. We feel our involvement will ensure a strong partnership with the State of Alaska and allow a solid foundation for future growth.

AICP chapters located in

NEW YORK/East • LOS ANGELES/West • CHICAGO/Midwest • SEATTLE/Northwest • SAN FRANCISCO • DENVER/Rocky Mountain • ATLANTA • DALLAS/Southwest • MIAMI/Southeast

Letters of support

I look forward to future correspondence and discussion concerning all aspects of film making in Alaska.

Sincerely,
AICP-Alaska

Roger Miller

Roger Miller
President

RM/kc

cc: John Abshire
Dennis Geary

THE FOLLOWING DOCUMENT MAY NOT FILM
LEGIBLY BECAUSE OF THE POOR QUALITY OF THE
ORIGINAL

FEB-10-92 SAT 16:44

SOA DIV OF TOURISM/ATMC

FAX NO. 9075633575

FEBRUARY 10, 1992

I AM WRITING TO TELL YOU OF MY FAMILY'S RECENT EXPERIENCE WITH OUR STATE'S CHILD LABOR LAWS AND THE ENTERTAINMENT INDUSTRY.

MY 5 YEAR OLD DAUGHTER MINDY ATTENDED AN AUDITION FOR A PART IN A "RESCUE 911" TELEVISION SEGMENT. THE SEGMENT WAS BEING FILMED IN THE FAIRBANKS AREA ABOUT A RECENT LOCAL INCIDENT. THE DIRECTOR AND FIELD COORDINATOR INTERVIEWED EACH CHILD INDIVIDUALLY AS PART OF THE AUDITION PROCESS. THE NEXT DAY I WAS INFORMED BY ALICIA ALEXANDER, THE FIELD COORDINATOR THAT MINDY HAD BEEN SELECTED. I WAS TOLD THAT HER SELECTION HAD BEEN BASED ON HER ABILITY TO PORTRAY THE PART AND FOLLOW DIRECTION. I EXPLAINED TO MINDY AND THE REST OF MY FAMILY WHAT SHE WOULD BE DOING. WE WERE ALL EXCITED ABOUT THE UPCOMING PART.

ABOUT 11 A.M. THE NEXT DAY MS. ALEXANDER PHONED US AGAIN. THIS TIME THE NEWS WAS NOT SO GOOD. MS. ALEXANDER SAID SHE HAD BEEN NOTIFIED BY THE STATE DEPT. OF LABOR THAT ACCORDING TO OUR LAWS NO CHILD UNDER THE AGE OF 14 IS ALLOWED TO WORK IN ALASKA. SINCE THE T.V. CREW COULD NOT RISK BREAKING THE LAW THEY WOULD NOT BE ABLE TO USE MY DAUGHTER. WE THEN CONTACTED THE DEPT. OF LABOR OURSELVES AND WERE TOLD THAT MINDY WOULD NOT BE ALLOWED TO DO THE PART WHETHER SHE WORKED WITH A TALENT AGENCY, UNDER HER OWN BUSINESS LICENSE, OR AS A VOLUNTEER. WE ALSO CALLED SEVERAL STATE OFFICES AND POLITICAL OFFICIALS BUT COULD NOT FIND ANY EXEMPTION FOR MINDY TO DO 4 DAYS WORK.

SINCE ACCORDING TO THE LAW MY DAUGHTER WAS NOT ABLE TO ACCEPT THE PART, THE T.V. CREW BROUGHT ANOTHER 4-5 YEAR OLD GIRL INTO TOWN TO TAKE HER PLACE. THIS ADDED TO THE EXPENSE OF MAKING THE FILM SEGMENT. IN ADDITION TO PAYING THE OTHER LITTLE GIRL A WAGE; HER AND HER AGENTS AIRFARE, HOTEL ROOM, MEALS AND POSSIBLY TRAVEL TIME ALSO HAD TO BE PAID.

THOUGH I'M SORRY FOR THE T.V. CREW'S INCONVENIENCE THE WORST PART OF THE SITUATION FOR ME WAS HAVING TO DISAPPOINT MY DAUGHTER. IT WAS ALSO HARD TO BE TOLD THAT MINDY HAD NATURAL TALENT AFTER LOSING HER CHANCE TO SHOW US.

THE EFFECTS OF WHAT HAPPENED HERE COULD BE MORE WIDESPREAD IF RUMORS THAT CBS WILL NOT FILM IN ALASKA AGAIN UNTIL MATTERS WHICH LED TO THIS TYPE OF SITUATION ARE RESOLVED. THE ENTERTAINMENT INDUSTRY, WHICH CAN BRING MONEY INTO OUR ECONOMY, MAY BEGIN TO FEEL THAT FILMING IN ALASKA IS NOT WORTH THE RISK. RESTAURANTS, HOTELS, CAR AND EQUIPMENT RENTALS, AND OTHERS WHICH COULD HAVE BENEFITTED FROM THE INDUSTRY'S PRESENCE, MAY LOSE THEIR CHANCE LIKE MINDY DID.

I FULLY SUPPORT LAWS THAT PROTECT CHILDREN IN REGARDS TO LABOR BUT IT IS WELL KNOWN THAT MANY STATES HAVE EXEMPTIONS TO THEIR CHILD LABOR LAWS WHICH ALLOW FOR SOME WORK IN ENTERTAINMENT. I BELIEVE OUR LAWS CAN AND SHOULD BE AMENDED TO ALLOW OUR CHILDREN TO WORK SAFELY IN THE ENTERTAINMENT FIELD.

I SINCERELY SUPPORT YOU IN YOUR EFFORTS TO BRING FORTH JUST SUCH AN AMENDMENT AND THANK YOU FOR ALL YOUR HELP.

RESPECTFULLY,

February 4, 1992

Ms. Mary Pignalberi
State of Alaska Film Office
3601 C Street, Suite 700
Anchorage, Alaska 99503

Carlson's Co. of Models
& Talent
P.O. Box 240985
Anchorage, Alaska 99524-0985
258-2154

Dear Mary,

As you know, for the past three years I have owned and operated a model and talent agency in Anchorage. I represent approximately seventy-five independent contractors who have done local and national commercials, film projects as well as special events and modeling for shows and print.

Last week I was asked to supply a make-up artist and a young actor for a Rescue 911 project that was to be filmed in North Pole. Rescue needed a four year old girl who would be required to get in a dogsled and be pulled by a couple of dogs, as well as being in the cold for a short period of time as if she were lost.

While acting experience was not a big priority, there was a height requirement and she obviously needed to be up for a challenge or two. Instead of flying one of my actors to Fairbanks, I initiated a casting call in Fairbanks. A young girl was selected from a group of girls and filming was to start on February 1, 1992.

On Friday, January 31, I received a call from Rescue 911 saying that Monte Jordan, Regional Supervisor of the Department of Labor had contacted them saying that this little girl was not allowed to work under the labor laws of Alaska. This law in effect says no one under the age of fourteen may work, unless they are an independent contractor.

If this child had been allowed to work, the project could have been shut down and the Department of Labor could have come after my agency.

The people at Rescue 911 were ready to fly a child from California with her parent to do the shoot if that was what would work under Alaska Law. Instead after several more conversations with the Department of Labor, I convinced them that I had a little girl who would qualify.

As a result I, along with a young talent that I represent in Anchorage, flew to Fairbanks on Friday evening, she worked two days and we flew back Sunday night. The reason this child was allowed to do the work was because she is an established independent contractor (as I understand the law). She has had training, done commercials, has been listed with my agency for six months and has her composite cards.

Patent
P.O. Box 240985
Anchorage, Alaska 99574-0985

In the meantime, we had a very disappointed child in Fairbanks who was told she would get to be part of an exciting project and then told she could not.

Mary, we are living in exciting times in Alaska as far as the potential of national projects coming into our state. Over the past year my agency alone has been part of two national Toyota commercials, three Rescue 911 projects, one CBS project called Real Life Heros and a feature film with a Korean company. Without these above mentioned projects my business would have been lucky to break even. As it is, we have managed to make a little money, put a few people to work and been encouraged to keep working at building my business.

I know how much work you have done to promote Alaska as a film and commercial location and how much money the State has expended in this effort. To have all of this effort undermined by a law which prevents childrens employment seems a travesty. This must be corrected.

I am convinced, we are either in the game or we are not. If film companies express a desire to come up here, it is up to us as a state and an industry to make that happen. If we can't, then they will go somewhere else.

When I was on location, I was told by a member of the crew that this would be the last project Rescue 911 would shoot in Alaska until we got our labor laws straightened out. I believe this is a great loss. Rescue has done four projects in the past year. One in Valdez, one in Anchorage and two in North Pole.

Each time they have brought at least six people up, hired support people once they arrived, rented equipment, as well as rental vehicles and in some cases rented arctic gear, stayed in our hotels, eaten in our restaurants, hired catering companies and taken home Alaskan gifts for their families. The figure that was quoted to me on location was that each person that comes up means about \$200 a day to our Alaskan economy. Now this is just one company, CBS.

National commercial projects can involve much bigger budgets and usually require resident support.

On a local level, we are also greatly impacted. I am sure you have noticed that children are often used in commercials. I know that they are not all hired through my agency and I would be willing to bet that many do not meet the independent contractor requirement. I believe many production houses and advertising agencies are in violation of the law, as it is now written.

Carlson & Co. of Bay
& Talent
P.O. Box 240865
Anchorage, Alaska 99524-0865

Children need to be protected and as a mother of two child actors, no one understands this better than I. At the same time children deserve the opportunity to be able to work in an area that greatly impacts their lives. They are inundated with television, radio and print media. Many of them are curious about the process and can indeed, at times, relate a story or sell a product much more effectively than an adult. In other states they are given this opportunity. Why not Alaska?

Mary, I can only restate that as an industry, we are either in the game or we aren't. It either has to include all ages or none. We need to get the ball rolling to change the labor laws. I am willing to be a voice. I hope the film office will also do its part in at least educating the powers that be to the problems that face us. We all need to be on the same team, speaking one voice. "Shoot Alaska" should mean not only its scenery but all of its talent as well.

Most Sincerely,

Carol Carlson

cc: Mr. Pat Parnell, State Representative
Mr. Roger Miller, President - AK. Chapter, AICP

Alaska mystique could pique interest of filmmakers

FAX NO:

#521 P03

By PATRICIA SOLOVEICHIK
TIMES BUSINESS WRITER

Alaska is caught up in a whirlwind of circumstance that is creating a very marketable mystique to draw filmmakers seeking unique footage or an exotic angle, the director of the state film office said Thursday.

As evidence of that claim, Alaska Film Office coordinator Mary

Pignalberi cited CBS This Morning's "65 percent sure" plans to broadcast live from Alaska for a week in May, placing its bets on the "last frontier" for sweeps week.

The morning news show wanted an unusual American location that would draw viewers at that important time, the film director told about 50 members of the Alaska Press Women

gathered at the Golden Lion Hotel in Anchorage.

"It is sweeps week, so they will be pumping promotions about Alaska," she said. "This is a drop-in-the-lap kind of thing right before tourist season starts."

How much of the CBS show's decision is attributable to luck and how
See Film, back page

Times 2/7/92

Film

Continued from page C1

much to Pignalberi's promotions is not known, but credit also may go to the popular television series "Northern Exposure."

"That kind of publicity is priceless. They say the word 'Alaska' six or seven times in the show," she told a packed banquet room.

Most people do not know the 2-year-old series is not filmed in Alaska, and filmmakers suddenly see that it is possible to film in Alaska, she said.

In addition to the series, Alaska's film industry may be benefiting from the "greening of the industry."

"In the film community, there is a much higher level of awareness about the environment, and this is the last frontier," Pignalberi said. "Alaska is the panacea in that regard. We're in a good position in this next 10-year period."

Combined efforts of tourism and film industry marketing also can be credited with gains in the past few years, which have included the filming of "White Fang," "Salmonberries," "Star Trek VI," and a variety of com-

mercials.

"In terms of a very unusual look that hasn't been overdone on the screen, our accessibility is very good. Our challenge is to get that message out there," Pignalberi said.

The latest message is a new billboard on Sunset Boulevard in Los Angeles that will be presented in three parts. The first part will be an Alaska landscape, followed next month with the addition of bear claws on either side, as though the animal were climbing up the back. The final month shows the bear head breaking through the canvas.

Pignalberi said the previous billboard created a bit of a sensation, as have the Alaska Film Office advertisements placed in such publications as Advertising Age and Variety.

Possibilities for future films in Alaska are on the drawing board and may come to fruition this year, she said.

But Alaska is competing with exotic European locations preferred by film companies following the trendy places to be, and also with domestic Northwest locations and Canada.

"Alaska's mystique is a state of mind based on what people grow up thinking and hearing about

ley, North America's tallest mountain, glaciers larger than some states, and miles and miles of coastline.

"It is the mystique of the unknown. Coming to Alaska is seen as something people want to achieve," she said.

It is perceived as isolated and remote, which both adds to the allure and makes filmmakers think twice about the idea.

Carol Carlson, owner of Carlson Company Models and Talent in Anchorage, said the state also has to be prepared for the interest drawn from marketing efforts.

"There is a lot of potential. We have to keep up and be ready. We can't operate like a small town business. It's not enough to have a nice look," she said.

One good start would be to change labor laws to make it easier for children to work in the industry, she said. A limit on human resources is a major flaw in the state's film package.

She said the series "Rescue 911" recently visited Alaska for a shoot and vowed not to return again until changes had been made in the labor laws.

"We have to grow up and be ready for whatever projects come up," Carlson said.

Backup materials

1

PRODUCTION ACTIVITY 1990-1991

Year	Project Title	Total Spent in Alaska	Total Spent on Local Hire	No. of Locals Hired
FEATURE FILM ACTIVITY				
1990	Salmonberries	\$1,000,000.00	\$280,000.00	100
1990	White Fang	\$4,000,000.00	\$1,120,000.00	200
1990	The Great Hunters	\$1,200,000.00	\$336,000.00	100
1991	Arrowtooth Waltz	\$377,000.00	\$40,000.00	25
1991	Star Trek VI	\$61,998.09	\$10,478.68	5
1991	Leaving Normal	Pending		
1991	Lovers on Edge of Earth	In production		
SUBTOTAL:		\$6,638,998.09	\$1,786,478.68	430
COMMERCIAL PRODUCTION ACTIVITY				
1990	Mazda	\$19,400.00	\$1,200.00	6
1990	Miller Beer	\$270,500.00	\$36,000.00	23
1990	BMW	\$90,930.00	\$28,830.00	21
1990	McDonalds	\$190,200.00	\$11,100.00	75
1990	Maritime Cowboy	\$160,000.00	\$44,800.00	23
1990	Daikin Air Conditioner	\$60,700.00	\$4,500.00	2
1990	Cadbury Chocolate	\$150,000.00	\$37,500.00	16
1991	Jeep Wrangler	\$153,543.00	\$17,055.00	12
1991	Pro-Plan Pet Food	\$45,000.00	NA	NA
1991	Royal Caribbean Cruise - 1	\$7,100.00	\$0.00	0
1991	Royal Caribbean Cruise - 2	\$41,955.00	\$2,800.00	13
1991	Saturn	\$111,200.00	\$26,200.00	32
1991	Seikesui Kagaku	\$36,150.00	\$25,000.00	2
1991	Sierra	\$30,200.00	\$22,000.00	5
1991	Toyota	\$96,052.00	\$27,000.00	20
1991	Snickers	\$42,396.00	\$14,580.00	13
1991	Colgate	Pending		
1991	US Postal Service	Pending		
1991	Alka Seltzer	\$83,500.00	\$24,000.00	20
SUBTOTAL:		\$1,588,326.00	\$322,565.00	283

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P.03

FAX NO. 907553375

SUA DIV. 100 JUKIS/ALMC

FEB-10-92 SHI 10:42

Year	Project Title	Total Spent in Alaska	Total Spent on Local Hire	No. of Locals Hired
TELEVISION/VIDEO PRODUCTION				
1990	Alaska Men Magazine	\$22,300.00	\$0.00	0
1990	Alaska's Nature and People	\$32,700.00	\$0.00	0
1990	Dinosaurs TV special	\$20,100.00	\$0.00	0
1990	Nat'l Geographic Braving Alaska	\$217,811.00	\$49,022.00	35
1990	See the World by Train	\$100,000.00	\$22,000.00	19
1990	Pure Insanity	\$30,000.00	\$6,600.00	8
1990	Cops	\$100,000.00	\$23,000.00	23
1991	Alaska the Last Frontier	\$6,880.00	\$2,500.00	30
1991	American Detective	\$44,700.00	\$300.00	1
1991	American Outdoor Adventures	\$6,880.00	\$2,500.00	30
1991	American Road Trips	\$3,490.00	\$0.00	0
1991	Amway Alaska	\$13,220.00	\$720.00	3
1991	Art Linkletter Show	\$28,300.00	\$2,000.00	2
1991	Baidarka Story	\$6,200.00	\$0.00	0
1991	Fuji Quiz Show	\$70,000.00	NA	20
1991	Horizon	\$2,859.00	\$674.58	2
1991	Klondike Gold Rush	\$5,215.00	\$800.00	4
1991	Real Life Heroes	\$11,293.00	\$2,071.00	NA
1991	Rescue 911	\$81,580.00	\$14,280.00	21
1991	Severly Handicapped	\$2,500.00	NA	NA
1991	Simple Pleasures	\$19,600.00	\$2,000.00	3
1991	Superwings	\$11,300.00	\$0.00	0
1991	The Hiro Project	\$8,780.00	\$1,000.00	2
1991	The Human Language	\$10,635.00	\$1,300.00	2
1991	Storage Tek	\$50,000.00		3
1991	America's Funniest People	\$9,826.14	\$1,875.00	8
1991	Vacation America	\$1,900.00	\$0.00	0
1991	Mickey Mouse Club	\$13,020.00	\$700.00	1
SUBTOTAL:		\$931,089.14	\$133,342.58	217

