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FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO : CSSSHB 418 (FIN) am

Revision Date: \_\_\_\_\_  
Title: "An Act requiring employers to provide  
... minors with a break from work."  
Sponsor: MacLean, Koponen & Moyer  
Requestor: Senate Labor & Commerce

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: 269-4913  
Division: Labor Standards & Safety Date: 3/26/92  
Approved by Commissioner: C. W. Mahlen  
Agency: Department of Labor 3/26/92 Date: 3/26/92

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

# ALASKA STATE LEGISLATURE

Representative Eileen Panlgeo MacLean  
Co-Chair House Finance Committee  
P.O. Box 830  
Barrow, Alaska 99723



WHILE IN JUNEAU  
Box V  
Juneau, Alaska 99811  
465-4525  
465-4833

## HOUSE OF REPRESENTATIVES

### MEMORANDUM

District 22

North Slope  
Borough

Anaktuvuk Pass  
Atkasuk  
Barrow  
Kaktovik  
Nuiqsut  
Point Hope  
Point Lay  
Wainwright

Northwest Arctic  
Borough

Ambler  
Buckland  
Deering  
Kiana  
Kivalina  
Kobuk  
Kotzebue  
Noatak  
Noorvik  
Selawik  
Shungnak

DATE: March 10, 1992  
TO: Senator Drue Pearce, Chairman  
Senate Labor and Commerce Committee  
FROM: Representative Eileen P. MacLean *EPM*  
SUBJ: Scheduling HB 418 for a Committee Hearing

House Bill 418 passed the House on March 6 and has been referred to the Senate Labor and Commerce Committee. This is to request a hearing for HB 418. The purpose of the bill is to require lunch breaks for people under the age of 18.

Federal and state law currently have no requirements for lunch breaks or lengths of shifts for children. Although most businesses probably do provide some kind of break for their employees there are some businesses in the state which do not.

Specifically, HB 418 requires that people under the age of 18 who are scheduled to work for six hours or more are entitled to a break of at least 30 minutes during the course of the work shift. The bill requires that the break must occur after the first hour and a half of work and before the beginning of the last hour of work.

HB 418 also addresses the situation where an individual may end up working more hours than originally planned and specifies that a person under the age of 18 who works for five consecutive hours without a break is entitled to a break of at least 30 minutes before continuing to work.

Senator Drue Pearce  
page 2

The Department of Labor would have the authority to monitor employers through their usual wage and hour audit procedures. If there was a violation of this section, then the department could impose a penalty which would result in the employee receiving compensation for the lunch break at twice the minimum wage rate, or \$9.50 per hour. For a 30 minute lunch break this totals \$4.75.

The House Finance Committee Substitute incorporated HB 461, by Representative Parnell. This would allow minors under the age of 14 years old to be employed as a performer in the entertainment industry.

HB 418 was amended on the House Floor on page 2, section 2, line 8 to add the words, or by mutual agreement between the employer and the employee. And also on page 2, section 2, lines 14-21, which limit the the application of work breaks for minors under section (c).

HB 418 passed the House with unanimous support. I would appreciate your consideration of scheduling this bill for a hearing in the Senate Labor and Commerce Committee. If you have any questions, or need any additional information, please contact Rena Bukovich of my staff at 465-4525.

FISCAL NOTE

HB 418

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. CSSSB 418 (FIN) am

Revision Date: \_\_\_\_\_

Department Affected: Administration

Title: Requiring work breaks for employees under age 18.

BRU: Personnel/OEEO

Sponsor: MacLean

Component: Personnel/OEEO

Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)  
This bill will have no fiscal impact on State employment.

Prepared by: R. H. King, Director *Michael P. DeRuelle*  
Division: Personnel/OEEO

Phone: 465-4430  
Date: 3/13/92

Approved by Commissioner: Nancy Bear Usara *NB*  
Agency: Administration

Date: 3/17/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).



Official Business

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

Kevin "Pat" Parnell

465-2647

MAR 17 1992

HB 418

Room 128

State Capitol  
Juneau, AK 99801-1182

*Drue*  
TO: Senator Drue Pearce, Chair  
Senate Labor & Commerce Committee

*P. Parnell*  
FROM: Rep. Kevin "Pat" Parnell

DATE: March 17, 1992

RE: Scheduling for CSSSHB418

I would greatly appreciate your scheduling CSSSHB418, "An Act permitting the employment of certain minors in the entertainment industry; requiring employers to provide certain employees who are minors with a break from work," for a hearing before the Senate Labor & Commerce Committee. It passed from the House unanimously.

I have amended HB461 onto this bill, and therefore have a desire to have this bill succeed, thus my request to you.

Thank you for your consideration of my request.

SENATE LABOR AND COMMERCE COMMITTEE  
SPONSOR STATEMENT  
CSSSHE 418 (FINANCE) am  
REPRESENTATIVE EILEEN P. MACLEAN

The purpose of HB 418 is to require employers to provide employees who are minors with a break after 6 or more hours of work. Our research indicates that there is no federal or state law that addresses this problem.

Although most businesses probably do provide some kind of break for their employee's, either through a collective bargaining agreement or through their own personnel policy, there are some businesses in the state which do not.

HB 418 would require that people under the age of 18 who are scheduled to work for six hours or more are entitled to a break of at least 30 minutes during the course of the work shift. The bill requires that the break must occur after the first hour and a half of work and before the beginning of the last hour of work.

HB 418 also addresses the situation where an individual may end up working more hours than originally planned and specifies that a person under the age of 18 who works for five consecutive hours without a break is entitled to a break of at least 30 minutes before continuing to work.

The Sponsor Substitute was introduced to add section 2, paragraph (d). This section entitles the employee to receive compensation if they do not get a lunch break and also gives the Dept. of Labor the authority to monitor employer's through their usual wage and hour audit procedures to insure that employer's are complying with the law.

The House Finance Committee incorporated HB 461, by Representative Parnell. This amendment would allow minors under 14 years old to be employed as performers in the entertainment industry.

HB 418 was amended on the House Floor on page 2, section 2, line 8, to add the words, or by mutual agreement between the employer and the employee. This would allow the employer and

Sponsor Statement  
CSSSHB 418 (Finance) am  
page 2

employee to negotiate the terms of the required break. For example, instead of a 30 minute break, they may agree on two 15 minute breaks. HB 418 was also amended on page 2, section 2, lines 14-21, which lists exempt activities from the required break section.

HB 418 passed the House with unanimous support.

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Borough

Ambler  
Buckland  
Deering  
Kiana  
Kivalina  
Kobuk  
Kolzebue  
Noatak  
Noorvik  
Selawik  
Shungnak

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Senator Drue Pearce  
page 2

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- E .332...under 17, kids must have written authorization by commissioner unless authorized under .360.
- E .335...under 14, kids can't work outside school hours except for domestic work, baby sitting and handiwork, newspaper routes, canneries.
- E .340...under 16, can't work for more than 9 hours combined in 1 day fo school and work. Limits hours to 5 am to 9 pm. Total work outside school=23 hour per week.
- E .350...under 18, long list of how kids can and can't work.
  
- N .325...purpose=to protect kids from exploitation
- N .330...general exemption=for family businesses and family boats.
- N .355...under 21, can't work in booze premises.
- E .360 (a) department sets regs for safety, work conditions, kind of work, maximum hours for day and week, minimum rates of pay and other kid safeguards
- E (b) department shall make deals with other state and fed agencies to provide opportunities for work experience in safe and healthy conditions for kids.
- E (c) department shall adopt regs for employment of 18 and under and exempting appropriate employers from reporting under .332.
- N .365...general enforcement provision.
- N .370...penalties

Drue

In current version of HB 418 before the senate, the above provisions of title 23 are exempted for minors in the entertainment industry concerning <sup>only</sup> times, hours + days of work.

I think the provisions marked "E" should remain exempted to keep in line with h+c vote.

I think the provisions marked "N" can apply to said minors without violating the committee's intent + in an attempt to solve Rep. Parnell's concern.

If you want me to prepare a floor amendment (and or have Pat) pls. <sup>sign off</sup> advice. *Jelly 1/20*