

HB

128

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 128(L&C)
 (H) Publish Date: 3/6/02

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Employment of Minors in Agriculture BRU: Labor Standards and Safety
 Component: Wage and Hour
 Sponsor: Representative Ogan
 Requester: House Labor and Commerce Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	22.5					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	22.5	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	22.5					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	22.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: None

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

This bill amends AS 23.10.332 by eliminating some of the protective standards in the child labor law. The bill removes the pre-approval requirement for work permits and allows the employer to notify the department after employment has begun.

The department anticipates the need to draft new regulations to implement these changes, advertise and hold public hearings on regulatory changes, and revise and reprint current informational Wage and Hour posters and pamphlets.

Prepared by: Richard Mastriano, Director Phone: 269-4919
 Division: Labor Standards and Safety Date/Time: 3/5/02 2:36 PM
 Approved by: Ed Flanagan, Commissioner Date: 03/05/02
 Agency: Department of Labor and Workforce Development

For distribution information, call the Governor's Legislative Office



Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee, Committee on HB 128 Employment of Minors in Agriculture, dated Tuesday, March 26, at 1:30pm.

Thank you for reading and entering into the record my testimony on this bill. The following are my thoughts on HB 128b but first some questions.

Is the state interested in allowing minors down to the age of 14 to work under state statute and learn work ethics at an early age?

Or is the state interested in just tacking who works and where they work and make an employer jump through the same hoops every year to hire an employee?

Is the state interested in making more paperwork for employers to file and Department of Labor to process and file every year?

Here is my suggestion. Have employers file a job description with the Commissioner of Labor to establish an employment position and allowed duties. That approved filing would be enforce for as long as the employer wants to fill that position under the allowed duties year after year using the same minor or a new hired minor.

What is the outcome? This would streamline Department of Labor's workloads thus reducing cost to run the department thus help reduce the state deficit.

What is the government's responsibility? Department of Labor's concern should be for safety of minors. Not who fills the job position as approved by Department of Labor.

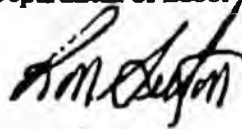
They do have the responsibility to keep a watchful eye on employment situations but not make the process of hiring people costly or untimely for business, especially seasonal

business like agriculture.

What is the employer's responsibility? Making sure a parent or legal guardian understands and approves of a minor's employment is the responsibility of the employer. Any employer would want to do that to prevent any miss understanding with the parent or guardian. Having the approval in writing, when the parent or guardian is not part of the work force would be very essential for all parties concerned. However, filling the parent approval form with the Department of Labor serves no purpose.

In review, the government's position is to make sure work performed is within legal limits with safety concerns addressed, not who does the work. Parents, guardians and the employers have the responsibility to make sure the minor understands and is able to meet the demands of the job. To file an approval form signed by a parent or guardian with the state would be unnecessary, for the state already has dictated what is legal from the state point of view through present statute. A pre-approved job description and a recognized employer by Department of Labor should satisfy all parties concerned.

Sincerely,



Ron Sexton
P.O. Box 882
Soldotna, Ak 99669
907-262-9242



Sponsor Statement for HB 128

Employment of Minors

An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors.

A local Valley farmer informed me that there were lots of kids who wanted to work on his farm but because it took so long to get permission from the state they declined or missed a substantial part of the harvest season.

Parents were surprised to learn that granting their permission was not good enough for the state. The Commissioner of Labor had to grant his approval so that their kids could pick vegetables or gather up some hay.

In my opinion requiring the Commissioner to grant permission after parents have already signed off is not necessary.

I cannot think of a better place for young people to learn basic life lessons and come to understand the value of hard work than on a farm. How unfortunate that government has created so many barriers to those experiences with bureaucracy and senseless red tape. The result has been too much non-productive time for many of our teens. We all know what that can translate into.

House Bill 128 will help more of our young people be involved with farm work. These skills will help young people later in life when a work ethic learned on the farm makes them a valued employee as an adult.

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REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

Sectional Analysis

CS for HB 128

Sec. 1 Adds section (c) to AS 23.10.332(a), Authorization for children under 17 to work..

Sec. 2 Section (c) provides that:

Prospective employers can apply to the Department of Labor (DOL) for prior approval to hire a minor for specific job descriptions.

Written consent by the parent of guardian must be filed with the department within 7 calendar days from when the minor begins work.

Once employed, any change in job duties of an employed minor requires a new approval of the revised job duties by the department before the minor can begin work under the revised job duties.

DOL preapproval of job duties is valid only for that calendar year. However, an approval issued in December is valid through the next calendar year.

Written parental or guardian consent must be on a form approved by the department.

Sec. 3 This section amends AS 23.10.360(c), which would provide authority for the employer to preapprove certain job descriptions with DOL.



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