

1 IN THE HOUSE OF REPRESENTATIVES

2 HOUSE BILL NO. 466

3 BY BUSINESS COMMITTEE

1 AN ACT

2 RELATING TO MINIMUM WAGE; AMENDING SECTION 44-1504, IDAHO CODE, TO PROVIDE
3 AN EXEMPTION TO THE APPLICABILITY OF MINIMUM WAGE LAW FOR ANY EMPLOYEE
4 UNDER THE AGE OF EIGHTEEN YEARS WHO IS EMPLOYED BY AN IMMEDIATE FAMILY
5 MEMBER OR SUCH FAMILY MEMBER'S BUSINESS.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 44-1504, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 44-1504. EMPLOYEES EXCEPTED FROM PROVISIONS OF ACT. The provisions of
10 this act shall not apply to:

11 (1) Any employee employed in a bona fide executive, administrative or
12 professional capacity; or

13 (2) Anyone engaged in domestic service; or

14 (3) Any individual employed as an outside salesman; or

15 (4) Seasonal employees of a nonprofit camping program; or

16 (5) Any child under the age of sixteen (16) years working part time or
17 at odd jobs not exceeding a total of four (4) hours per day with any one (1)
18 employer; or

19 (6) Any employee under the age of eighteen (18) years who is employed by
20 an immediate family member or such family member's business; or

21 (7) Any individual employed in agriculture if:

22 (a) Such employee is the parent, spouse, child or other member of his
23 employer's immediate family; or

24 (b) Such employee is older than sixteen (16) years of age and:

25 (i) Is employed as a harvest laborer and is paid on a piece-rate
26 basis in an operation which has been, and is customarily and gener-
27 ally recognized as having been, paid on a piece-rate basis in the
28 region of employment, and

29 (ii) Commutes daily from his permanent residence to the farm on
30 which he is so employed, and

31 (iii) Has been employed in agriculture less than thirteen (13)
32 weeks during the preceding calendar year; or

33 (c) Such employee is sixteen (16) years of age or under and:

34 (i) Is employed as a harvest laborer, is paid on a piece-rate ba-
35 sis in an operation which has been, and is customarily and gener-
36 ally recognized as having been, paid on a piece-rate basis in the
37 region of employment, and

38 (ii) Is employed on the same farm as his parent or person standing
39 in the place of his parent, and

40 (iii) Is paid at the same piece-rate basis as employees over the
41 age of sixteen (16) years are paid on the same farm; or

1 (d) Such employee is principally engaged in the range production of
2 livestock.