

## CHAPTER 122 — H.F.No. 194

*An act relating to labor; creating an exemption from state minimum wage for certain live-in child care county employees; amending Minnesota Statutes 1982, section 177.23, subdivision 7.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 177.23, subdivision 7, is amended to read:

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm to perform services other than corn detasseling;

(2a) for purposes of section 177.24, an individual who has not attained the age of 18 who is employed in agriculture as a corn detasseler;

(3) any staff member employed with an organized resident or day camp licensed with the state;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as those terms are defined and delimited by rules of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as those terms are defined by rules of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of section 353.01, subdivision 2b, clauses (a), (b), (d), and (i);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

- (10) any individual engaged in babysitting as a sole practitioner;
- (11) any individual employed on a seasonal basis in a carnival, circus or fair;
- (12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program;
- (13) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);
- (14) any individual in a position with respect to which the U.S. Department of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S. Code, Section 304;
- (15) any individual employed as a seafarer; the term "seafarer" means a master of a vessel or any person subject to the authority, direction and control of the master including but not limited to pilots, sailors, engineers, radio operators, firefighters, watchmen, pursers, surgeons, cooks and stewards, who is exempt from federal overtime standards under 29 U.S.C. Section 213(b) (6);

(16) any individual employed by a county in a single family residence owned by a county home school as authorized under section 260.094 if the residence is an extension facility of that county home school and if the individual as part of his employment duties and remuneration resides at said residence for the purpose of supervising children as defined by section 260.015, subdivision 2.

Approved May 10, 1983

## CHAPTER 123 — H.F.No. 230

*An act relating to insurance; prohibiting sex discrimination under Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1982, section 62E.08, subdivision 1.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 62E.08, subdivision 1, is amended to read:

Subdivision 1. The association shall establish the following maximum premiums to be charged for membership in the comprehensive health insurance plan:

(a) The premium for the number one qualified plan shall be up to a maximum of 125 percent of the average of rates charged by the five insurers with the largest number of individuals in a number one individual qualified plan of insurance in force in Minnesota;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.