

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1348 Session of  
1981

INTRODUCED BY BRANDT, MERRY, PITTS AND ARMSTRONG, APRIL 29, 1981

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 29, 1981

AN ACT

1 Amending the act of January 17, 1968 (P.L.11, No.5), entitled  
2 "An act establishing a fixed minimum wage and overtime rates  
3 for employes, with certain exceptions; providing for minimum  
4 rates for learners and apprentices; creating a Minimum Wage  
5 Advisory Board and defining its powers and duties; conferring  
6 powers and imposing duties upon the Department of Labor and  
7 Industry; imposing duties on employers; and providing  
8 penalties," further providing for exemptions.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. Paragraph (9) of subsection (a) of section 5, act  
12 of January 17, 1968 (P.L.11, No.5), known as "The Minimum Wage  
13 Act of 1968," amended July 1, 1978 (P.L.735, No.135), is amended  
14 to read:

15 Section 5. Exemptions.--(a) Employment in the following  
16 classifications shall be exempt from both the minimum wage and  
17 overtime provisions of this act:

18 \* \* \*

19 (9) [In employment by an establishment which is a public  
20 amusement or recreational establishment, organized camp, or

1 religious or nonprofit educational conference center, if (i) it  
2 does not operate for more than seven months in any calendar  
3 year, or (ii) during the preceding calendar year, its average  
4 receipts for any six months of such year were not more than  
5 thirty-three and one-third percent of its average receipts for  
6 the other six months of such year;] In employment by  
7 recreational or amusement establishments organized exclusively  
8 for pleasure, recreation, amusement and other nonprofitable  
9 purposes, no part of the net earnings of which inures to the  
10 benefit of any private shareholder;

11 \* \* \*

12 Section 2. This act shall take effect in 30 days.