

[(4)] (5) The Secretary may reconsider the decision to recover an overpayment at any time within one year of the date the decision to recover the overpayment was made.

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As used in this article, unless the context clearly requires otherwise:

(g) (7) "Employment includes:

(v) "Employment" does not include:

A. Service by an officer or member of the crew of a vessel of ten net tons or less capacity OR A FISHING BOAT THE CREW OF WHICH IS NORMALLY MADE UP OF FEWER THAN 10 INDIVIDUALS while engaged in the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweed, or other aquatic forms of animal or vegetable life, who is compensated on a share basis and not by a salary or wage;

B. Service by an individual in the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;

C. Service by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by that order;

D. Service by an individual before January 1, 1978, in the employ of a school which is not an institution of higher education;

E. Service performed after December 31, 1977 by an individual in the employ of a governmental entity if the individual performs the service in the exercise of his duties as an elected official, as a member of a legislative body, the judiciary, the State National Guard, or Air National Guard, or as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or other similar emergency, or in a position that, under the laws of this State, is designated a major nontenured policymaking or advisory position or a policymaking or advisory position that ordinarily does not require more than 8 hours per week;

F. Service in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for