

1 IN THE HOUSE

BY MESSRS. RILEY AND GREUEL

2 HOUSE BILL NO. 235

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to create an Employment Security  
7 Commission of Alaska, and relating to  
8 Employment Security; repealing Chapter ~~237~~  
9 SLA 1953; Section 51-5-2 (c) ACLA 1949 as  
10 *repealed and reenacted by Section 7 of*  
11 *Chapter 99, SLA 1953, and Sec. 51-5-2 (d)(3)*  
12 *of ACLA 1949* amended by Chapter 99, SLA 1953; Section  
13 51-5-2 (d)(3) ACLA 1949 and Section 7 of  
14 Chapter 99, SLA 1953; and amending Section  
15 51-5-1 (n) ACLA 1949; Section 51-5-2 (d)  
16 ACLA 1949, as amended by Chapter 25, SLA  
17 1949, Chapter 10, SLA 1951, and Chapter *99 and*  
18 *Chapter* 125, SLA 1953; and setting an effective  
19 date."

20 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

21 Section 1. There is hereby created a Commission to be known  
22 as the Employment Security Commission of Alaska, hereinafter  
23 referred to as the "Commission". The Commission shall consist of  
24 the Attorney General, the Treasurer and the Commissioner of Labor.  
25 The Territorial Treasurer shall, ex-officio, be the chairman of  
26 the Employment Security Commission hereby created. Members of  
27 the Employment Security Commission shall receive a salary of  
28 \$8,500 per annum and per diem and travel expenses while engaged  
29 in official business of the Commission, said salaries and pay-  
30 ments to be made from monies made available by Federal grant to  
31 the Territory for the administration of the Alaska Employment

The following amendment, offered by \_\_\_\_\_ to  
H. B. 235; Page 1; Line 10, 11 & 12 Strike "amended by Chapter  
99, SLA 1953; Sec. 51-5-2(d)(3) ACLA 1949 and Sec. 7 of Chapter 99,  
SLA, 1953"

Insert the following, "repealed and reenacted by Section 7 of  
Chapter 99, SLA 1953, and Sec. 51-5-2 (d) (3), ACLA 1949"

The following amendment, offered by \_\_\_\_\_ to  
H. B. No 235; Page 1; Line 16 Before the figure "125" insert  
"99 and Chapter"

1 Security Law. Any two members of the Commission shall constitute  
2 a quorum and no vacancy shall impair the rights of the remaining  
3 two members of the Commission to exercise all the powers of the  
4 Commission.

5 Section 2. The Commission shall appoint a Director who shall  
6 be the chief executive of the Commission, and whose compensation  
7 shall be fixed by the Commission. The Director shall be appoint-  
8 ed for a term of four years and may be removed at the pleasure of  
9 the Commission. No person shall be appointed Director unless he  
10 is a citizen of the United States, a resident of this Territory  
11 and has been such resident at least five years immediately preced-  
12 ing his appointment. The Director shall be subject to the super-  
13 vision and direction of the Commission and shall perform such  
14 duties as the Commission may assign to him.

15 Section 3. As used in this Act, the term "seasonal industry"  
16 means an occupation or industry in which, because of the seasonal  
17 nature thereof, it is customary to operate only during a regular-  
18 ly recurring period or periods of less than one year in length.  
19 The Commission shall, after investigation and hearing, determine,  
20 and may thereafter from time to time redetermine, the longest  
21 seasonal period or periods during which, by the best practice of  
22 the occupation or industry in question, operations are conducted.  
23 Until such determination by the Commission no occupation or in-  
24 dustry shall be deemed seasonal; Provided, however, it is the  
25 determination of the Legislature that the salmon industry is by  
26 its nature seasonal and is hereby so declared.

27 Notwithstanding the foregoing provisions of this Section,  
28 seasonal wage credits shall be available only with respect to  
29 weeks of unemployment occurring in whole or in part within the

1 longest seasonal period (as determined pursuant to this Section)  
2 of the industry from which they are earned.

3 The term "seasonal wage credits" means wage credits based  
4 upon wages for employment by employers earned from a seasonal  
5 industry during the longest seasonal period as determined by the  
6 Commission pursuant to this Section.

7 Section 4. Sec. 51-5-1 (n) ACLA 1949<sup>revised</sup> is hereby amended to  
8 read as follows:

9 Sec. 51-5-1 (n) "Wages" means the first three thousand  
10 six hundred dollars or remuneration payable by one employer  
11 to an individual worker for employment during one calendar  
12 year: Provided, that if three thousand six hundred dollars  
13 or more of remuneration has been payable by one employer to  
14 an individual during one calendar year, some portion of which  
15 is included in such individual's base period, the three  
16 thousand six hundred dollars shall be equally prorated  
17 throughout the weeks of such year in which he was so employed  
18 for the purposes of determining whether or not the individual  
19 is eligible to receive benefits, his weekly benefit amount,  
20 and the maximum total amount of benefits payable to him.

21 Section 5. <sup>Subsection (d) of</sup> Sec. 51-5-2 (d) ACLA 1949, as <sup>added</sup> amended by Chapter  
22 25 SLA 1949 [by the addition of paragraph (4)] and as [further] amend-  
23 ed by Chapter 10 SLA 1951, as amended by <sup>Chapter 99 and</sup> Chapter 125 SLA 1953, is  
24 hereby amended to read as follows:

25 Sec. 51-5-2 (d) <sup>2</sup>(~~1~~) "Dependency Allowances." Each  
26 individual who is eligible to receive benefits for unemploy-  
27 ment with respect to any week shall be paid with respect to  
28 such week a dependency allowance of [20%] 10% of his weekly  
29 benefit amount for each of such individual dependents who

The following amendment, offered by \_\_\_\_\_ to

H. B. No 235; Section 4; Page 3; Line 7

Page 3, Line 7: After the figure "1949" add the words and figures  
"exclusive of subsections (1); (1) (A), (1) (B), and (1) (C)  
thereof,"

The following amendment, offered by \_\_\_\_\_ to

H. B. No 235; Sec. 5; Page 3; Line 21, 22, 23 & 25

Line 21: After the words "Section 5." insert the words "Subsection  
(4) of" Strike the word "amended" and substitute the word  
"added"

Line 22: Strike the words "by the addition of paragraph (4)"

Strike the word "further"

Line 23: Before the words "Chapter 125" insert the words "Chapter  
99 and"

Line 25: Change "Sec. 51-5-2 (d) (4)" to "Sec. 51-5-2 (d) (2)"

1 were being wholly or mainly supported by such individual, but  
2 in no event shall such allowance exceed 50% of the weekly  
3 benefit amount of such individual, except where the amount of  
4 dependency allowance is not a multiple of one dollar, in  
5 which case it shall be computed to the next higher multiple  
6 of one dollar. Dependency allowances shall be in addition  
7 to the unemployment benefits otherwise payable and shall not  
8 be considered part of an individual's weekly benefit amount.  
9 The maximum potential benefits in a benefit year shall be  
10 increased for claimants with dependent's allowances by the  
11 amount of such allowances. No dependency allowance shall be  
12 payable with respect to any week unless an unemployment  
13 benefit is also payable with respect to such week. If both  
14 husband and wife receive benefits with respect to a week of  
15 unemployment, neither shall be considered a dependent of the  
16 other and only one of them shall be entitled to dependency  
17 allowance with respect to dependents.

18 Section 6. The Legislature hereby declares that there are  
19 industries which, although they are not seasonal in nature, have  
20 a quarterly decline in their payrolls each year. The Commission  
21 shall after investigation and hearing determine and classify and  
22 may thereafter from time to time redetermine the industries to be  
23 so classified. The industries so classified shall be subject to  
24 [an increased] contribution[s] [rate of one per cent] on compensation  
25 paid their employees on the first \$4,200 paid to each employee in  
26 any calendar year. [This additional contribution may be deducted  
27 from the wages of the employees.]

28 Section 7. <sup>contract</sup> No interstate benefit payment shall exceed \$25.00  
29 per week.

The following amendment, offered by \_\_\_\_\_ to

H. B. 235 Page 4; Line 24

Strike "an increased" add "s" to "contribution" delete "rate of one percent"

H. B. No 235; Page 4; Line 26 & 27

Strike last sentence in paragraph

H. B. No 235 Page 4; Line 26

After "year." add "Employees of industries so classified shall be subject to a contribution rate of one percent on the first \$4200.00 earned by such employees in any calendar year"

The following amendment, offered by \_\_\_\_\_ to

H. B. 235; Sec. 7; Page 4; Line 28

Line 28 after "Section 7." delete the sentence which starts "No" and ends on line 29. Substitute the following:

"For any week with respect to which an individual files a claim for benefits while outside the Territory, the weekly benefit amount shall not exceed \$25.00; provided, however, no claimant shall receive benefits for more than 26 weeks of unemployment during a benefit year."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Section 8. The Commission is hereby directed to assemble and prepare for submission to the next regular session of the Legislature a record of employer experience such as would result from a "charge-back" system were such a system in effect.

Section 9. Chapter 83, SLA 1953, Section 51-5-2 (c) ACLA 1949 as <sup>repealed and reenacted by Section 7 of Chapter 99, SLA 1953, and Section 51-5-2 (d)(3) ACLA 1949</sup> amended by Chapter 99, SLA 1953, Section 51-5-2 (d) (3) ACLA 1949, and Section 7 of Chapter 99, SLA 1953 are hereby repealed.

Section 10. This Act shall take effect on April 1, 1955.

The following amendment, offered by \_\_\_\_\_ to

H. B. No 235; Sec. 9; Page 5; Line 6 & 7

After the word "as" strike "amended by Chapter 99, SLA 1953, Section 51-5-2 (d) (3) ACLA 1949, and Sec. 7 of Chapter 99, SLA 1953" and insert the following:

"repealed and reenacted by Section 7 of Chapter 99, SLA 1953, and Section 51-5-2 (d) (3) ACLA 1949"