

1 IN THE HOUSE

BY MESSRS. WIRTH,
BUCKALEW & YOUNG

2

HOUSE BILL NO. 130

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6

For an Act entitled: "An Act reconstituting the Employment
7 Security Commission; amending Sec. 301,
8 302, 303, 304, and 305 of Art. III, Ch. 5,
9 ESLA 1955; and declaring an emergency."

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

11 Section 1. Sec. 301 of Art. III, Ch. 5 ESLA 1955, is hereby
12 amended to read as follows:

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Sec. 301. APPOINTMENT OF MEMBERS. There is hereby

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created a Commission to be known as the Alaska Employment

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Security Commission. The Commission shall consist of three

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~~FOUR~~ members who shall be appointed by the Governor by and

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with the consent of the Legislature in joint session of both

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houses and in substantial conformity with Ch. 64 SLA 1955 7,

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AND A FIFTH MEMBER SHALL PROMPTLY BE APPOINTED BY A MAJORITY

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VOTE OF SAID FOUR MEMBERS WHEN A VACANCY EXISTS IN SAID FIFTH

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POSITION 7. Members of the Commission shall be residents of

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the Territory of Alaska and citizens of the United States

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over the age of 21 years. None of the members shall be an

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employee of the Territorial Government. The three ~~FOUR~~

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members appointed by the Governor shall consist of one ~~TWO~~

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who shall be a representative of labor, ~~AND~~, one who shall

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be a representative of industry or management, 7 and one

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who THE FIFTH MEMBER TO BE APPOINTED BY THE COMMISSION 7

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shall represent the public. The Governor shall select the

1 N labor member from a list of at least three names submitted
2 W by the Executive Council of the Alaska Territorial Federation
3 M of Labor, AFL-CIO; the management member shall be selected
4 A from a list of at least three names submitted by the Board
5 T of Directors of the All-Alaska Chamber of Commerce; and the
6 T public member shall be selected from a list of at least
7 E three names submitted by the Board of Governors of the
8 R Alaska Bar Association, which list may, but need not, contain
9 the name of any attorney.

10 Sec. 2. Sec. 302 of Art. III, Ch. 5, ESLA 1955, is hereby
11 amended to read as follows:

12 Sec. 302. TERMS OF OFFICE. Except as provided in this
13 section and in Section 303 herein, each member shall hold
14 office for a term of three ~~FOUR~~ years. The first members
15 N of the Commission created by this Act shall be appointed
16 E from the lists of nominees as provided by Section 301, as
17 W amended herein, and their names presented to the Legislature
18 within five (5) days of approval of this Act, or upon its
19 becoming law without such approval, by the Governor by and
20 M with the consent of the Legislature in joint session assem-
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22 T ed. The Terms of office of the first members of the Commis-
23 T sion created by this Act shall expire as follows: The term
24 T of the management member shall expire February 1, 1958; the
25 E term of the labor member shall expire on February 1, 1959; and
26 R the term of the member representing the public shall expire
27 February 1, 1960. THE MEMBERS OF THE COMMISSION AS OF
28 JANUARY 1, 1955, SHALL CONSTITUTE THE FIRST MEMBERS OF THE
29 COMMISSION CREATED BY THIS ACT AND THEIR TERMS OF OFFICE
30 SHALL EXPIRE AS FOLLOWS: THE TERM OF ONE MANAGEMENT MEMBER

1 AND ONE LABOR MEMBER SHALL EXPIRE FEBRUARY 1, 1957; THE TERM
2 OF ONE LABOR MEMBER AND ONE MANAGEMENT MEMBER SHALL EXPIRE
3 ON FEBRUARY 1, 1959; PROVIDED THAT THE LONG AND SHORT TERMS
4 OF THE SAID FIRST LABOR AND MANAGEMENT MEMBERS RESPECTIVELY
5 SHALL BE DETERMINED BY THEM BY LOT AT THEIR FIRST MEETING
6 AFTER THE EFFECTIVE DATE OF THIS ACT.] The Governor, at
7 any time, after due notice and public hearing, may remove
8 any member of the Commission for neglect of duty, malfeasance
9 in office, or the commission of a crime involving moral
10 turpitude.

11 Sec. 3. Sec. 303, of Art. III, Ch. 5, ESLA 1955 is hereby
12 amended to read as follows:

13 Sec. 303. VACANCY ON COMMISSION. If a vacancy occurs
14 at a time when the Legislature is not in session, through
15 death, resignation, removal or disqualification, under
16 this Act, a new member shall be appointed by the Governor
17 within 60 days to fill the vacancy, which new appointee
18 shall have the qualifications herein prescribed and shall
19 hold office for the remainder of the term for which his
20 predecessor was appointed.

21 N Within ten days of the occurrence of any vacancy on
22 E the Commission, the Governor shall notify the organization
23 M required to submit the names of nominees under Section 301,
24 A as amended herein, for appointment to the position made
25 T vacant. Such names shall be submitted to the Governor no
26 T less than 30 days after receipt of notice by the appropriate
27 E organization. All appointments for an unexpired term shall
28 R be made by the Governor from the names submitted.

29 Sec. 4. Sec. 304 of Art. III, Ch. 5 ESLA 1955, is hereby

1 amended to read as follows:

2 Sec. 304. CHAIRMAN; REIMBURSEMENT OF MEMBERS. One of
3 the members of the Commission shall be chosen by a majority
4 vote of all its members as chairman of the Commission. The
5 ~~three~~ FIVE members of the Commission shall receive compen-
6 sation at the rate of \$35.00 per day while in attendance at
7 official meetings of the Commission or while engaged in
8 necessary travel thereto and therefrom. In addition, mem-
9 bers of the Commission shall receive necessary travel ex-
10 penses as provided for by regulations adopted by the Com-
11 mission and approved by the Secretary of Labor or his desig-
12 nated representatives. The Commission shall meet not less
13 frequently than once every sixty days.

14 Sec. 5. Sec. 305 of Art. III, Ch. 5 ESLA 1955, is hereby
15 amended to read as follows:

16 Sec. 305. QUORUM. A quorum shall consist of two or
17 three ~~two~~ FOUR OR FIVE members of the Commission PROVIDED
18 THAT REPRESENTATIVES OF LABOR AND MANAGEMENT ARE PRESENT IN
19 EQUAL NUMBERS. Decisions reached by the quorum shall be
20 considered the decisions of the Commission.

21 Sec. 6. CONTINUATION OF REGULATIONS, AGREEMENTS, ACCOUNTS,
22 ETC. All rules, regulations, procedures, policies, funds, con-
23 tracts, agreements, employee's positions, accounts, assets,
24 liabilities, and benefit conditions and amounts, whether vested
25 or contingent, established in any manner under the authority of
26 the Alaska Employment Security Law, are hereby continued, except
27 where inconsistent with the provisions of this Act.

28 Sec. 7. An emergency is hereby declared to exist, and this
29 Act shall take effect immediately upon its passage and approval,

1 or upon its becoming law without such approval.

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