

1 IN THE HOUSE

BY MR. YOUNG

2 HOUSE BILL NO. 201

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act to secure payment of wages for
7 certain employees."

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

9 Section 1. The term "employer" as used herein shall mean
10 any person or persons, partnership, joint stock company, associ-
11 ation or corporation employing one or more persons in connection
12 with any business or industry carried on in Alaska,

13 Sec. 2. No employer employing labor in Alaska, except per-
14 sons having sufficient equity in real property upon which labor is
15 to be bestowed, or personal property or equipment with which labor
16 is performed, shall commence business or continue to do business
17 at the expiration of any pay period, as the case may be, unless
18 and until he shall have on hand to cover the next pay period, cash
19 or bank deposits in the judicial division in which labor is to
20 be performed, in an amount or amounts sufficient to pay the wages
21 of all persons to be employed for said pay period, or, in the
22 alternative, readily marketable debt-free securities of a market
23 value sufficient to pay all the wages of all persons to be employed
24 during the next pay period. Proof of ability to meet such payroll
25 shall be furnished any employee upon request.

26 Sec. 3. Any employer carrying on a business by lease or
27 otherwise who does not pay the wages of all his or its employees
28 in accordance with the provisions of the labor law together with
29 every officer of any such corporation who knowingly permits the

1 corporation to violate the labor law by failing to pay the wages
2 of any of its employees in accordance with the provisions of the
3 labor law, is guilty of a misdemeanor, and upon conviction there-
4 for shall be fined not less than one hundred (\$100.00) dollars
5 nor more than ten thousand (\$10,000.00) dollars or imprisoned
6 for not more than one year, or punished by both such fine and
7 imprisonment, for each offense hereunder.

8 Sec. 4. Every employer as defined in this Act shall pay the
9 wages of his or its employees in cash; provided, however, that an
10 employer may pay his employees by check if he furnishes satis-
11 factory proof to the Commissioner of Labor of his financial
12 responsibility and give reasonable assurance that such checks
13 may be cashed by employees without difficulty and for the full
14 amount for which they are drawn.

15 Sec. 5. Any employer who issues a fraudulent check in pay-
16 ment of wages is guilty of a misdemeanor and upon conviction
17 therefor, shall be fined not less than one hundred (\$100.00) dol-
18 lars nor more than ten thousand (\$10,000.00) dollars, or imprison-
19 ed for not less than ten days nor more than one year, or punished
20 by both such fine and imprisonment, for each offense hereunder.

21 Sec. 6. Any employee may file a complaint charging a viola-
22 tion of this Act by his or her employer, with the U.S. Attorney
23 in the judicial division in which the alleged violation occurred.

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