

1 IN THE SENATE

BY HOUSE RULES COMMITTEE

2 HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 91

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act Entitled: "An Act relating to Employment Security;
7 amending Articles II, III, V and VII of the
8 Alaska Employment Security Act (Ch. 5, ESLA
9 1955, as amended by Chapters 62, 75 and 169,
10 SLA 1957); adding a new Article V (a) estab-
11 lishing variable tax rates; repealing Sec.
12 229 of Article II, Sec. 503 of Article V
13 and subsection (h) of Sec. 741 of Article
14 VII; and providing for an effective date."

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

16 Section 1. Sec. 213 of Article II, Ch. 5, ESLA 1955, is
17 hereby amended to read as follows:

18 Sec. 213. "Employing unit" means any individual or type
19 of organization, including the State government, any of its
20 political subdivisions or instrumentalities, any partnership,
21 association, trust, estate, joint trust company, insurance
22 company or corporation, whether domestic or foreign, or the
23 receiver, referee in bankruptcy, trustee, or successor of any
24 of the foregoing, or the legal representative of a deceased
25 person, which has, or subsequent to January 1, 1937 had one
26 or more individuals performing service for it within this
27 State ~~[TERRITORY]~~. All individuals performing services within
28 this State ~~[TERRITORY]~~ for any employing unit which maintains
29 two or more separate establishments within this State

1 [TERRITORY] shall be deemed to be employed by a single employ
2 ing unit for all the purposes of this Act.

3 Sec. 2. Sec. 214 of Article II, Ch. 5, ESLA 1955, is hereby
4 amended to read as follows:

5 Sec. 214. "Employment" means:

6 (a) Any service performed prior to January 1,
7 1955, which was employment as defined in this section prior
8 to such date, and subject to the other provisions of this
9 section, service performed after December 31, 1954, by an
10 individual for wages or by an officer of a corporation,
11 including service in interstate commerce;

12 (b) Notwithstanding Section 215 all service per-
13 formed after December 31, 1954, by an officer or member of
14 the crew of an American vessel on or in connection with such
15 vessel, if the operating office, from which the operations
16 of such vessel operating on navigable waters within, or
17 within and without, the United States are ordinarily and
18 regularly supervised, managed, directed and controlled, is
19 within this State [TERRITORY]; and

20 (c) Notwithstanding any other provisions of this
21 Article, service with respect to which a tax is required to
22 be paid under any Federal law imposing a tax against which
23 credit may be taken for contributions required to be paid
24 into a State unemployment fund.

25 (d) Service performed after January 1, 1960, by an
26 individual for this State or any political subdivision there-
27 of, or any instrumentality of any one or more of the foregoing
28 which is wholly owned by this State or by one or more of its
29 political subdivisions.

1 Sec. 3. Sec. 217 of Article II, Ch. 5, ESLA 1955, is hereby
2 amended to read as follows:

3 Sec. 217. The term "employment" shall, during the ef-
4 fective period of the election, include service covered by an
5 election pursuant to Section 604 (a) and service covered by
6 an election duly approved by the agency charged with the
7 administration of any other state, Federal or foreign govern-
8 ment employment security law, in accordance with an arrange-
9 ment pursuant to Section 325.1 (a) of this Act during the
10 effective period of such election [, SERVICE COVERED BY AN
11 ELECTION DULY APPROVED BY THE COMMISSION IN ACCORDANCE WITH
12 AN ARRANGEMENT PURSUANT TO SECTION 325, AND SERVICE NOT
13 OTHERWISE COVERED UNDER THIS ACT, PERFORMED ENTIRELY WITH-
14 OUT THIS TERRITORY, WITH RESPECT TO NO PART OF WHICH CONTRI-
15 BUTIONS ARE REQUIRED AND PAID UNDER THE UNEMPLOYMENT
16 COMPENSATION LAW OF ANY OTHER STATE OR TERRITORY, IF THE
17 INDIVIDUAL PERFORMING SUCH SERVICE IS A RESIDENT OF THIS
18 TERRITORY AND THE COMMISSION APPROVES THE ELECTION FILED BY
19 THE EMPLOYING UNIT FOR WHOM THE SERVICES ARE PERFORMED IN THE
20 SAME MANNER AS FOR ELECTIONS FILED UNDER SECTION 604] .

21 Sec. 4. Sec. 229 of Article II, Ch. 5, ESLA 1955, as amended
22 by Ch. 169, SLA 1957, is hereby repealed.

23 Sec. 5. Article II, Ch. 5, ESLA 1955, is hereby amended by
24 adding a new section to read as follows:

25 Sec. 234.1 The term "employment" shall not include
26 service performed on an unemployment work relief project
27 undertaken by this State or any subdivision thereof.

28 Sec. 6. Article II, Ch. 5, ESLA 1955, is hereby amended by
29 adding a new section to read as follows:

1 Sec. 249.1 SUPPLEMENTAL UNEMPLOYMENT BENEFITS. Notwith-
2 standing the provisions of Sections 240 and 242, neither the
3 term "remuneration" nor the term "wages" shall include the
4 amount of any payment (including any amount paid by
5 an employer into a fund to provide for any such payment) made
6 to, or on behalf of, an employee under a plan or system estab-
7 lished by an employer which makes provision for his employees
8 generally, or for a class or group of his employees, for the
9 purpose of supplementing unemployment benefits.

10 Sec. 7. Sec. 306 of Article III, Ch. 5, ESLA 1955, is hereby
11 amended to read as follows:

12 Sec. 306. DUTIES AND POWERS OF THE COMMISSION. Subject
13 to the provisions of Sec. 311 of this Article, the Commission
14 shall appoint a Director whose duty it shall be to administer
15 the provisions of this Act under such authority of the Com-
16 mission as may be delegated to him by the Commission, with the
17 exception that the Commission may not delegate the appellate
18 powers conferred upon it by this Act, or the power to adopt,
19 amend or rescind rules and regulations. The Commission shall
20 prescribe the divisions, subdivisions and units of the organ--
21 ization to be directed by the Director to carry out the
22 purposes of this Act. It may require bond of any person
23 handling money or signing checks. It shall have an official
24 seal which shall be judicially noticed. Not later than the
25 first day of January ~~[OCTOBER]~~ of each year, the Commission
26 shall submit to the Governor a report covering the administra-
27 tion and operation of this Act during the preceding fiscal
28 year ended June 30 and shall make such recommendations for
29 amendments to this Act as the Commission deems proper. Such

1 report shall include a balance sheet of the moneys in the
2 fund in which there shall be provided, if possible, a reserve
3 against the liability in future years to pay benefits. When-
4 ever the Commission believes that a change in contribution
5 or benefit rates will become necessary to protect the sol-
6 vency of the fund, it shall promptly so inform the Governor
7 and the Legislature, and make recommendations with respect
8 thereto.

9 Sec. 8. Sec. 325 of Article III, Ch. 5, ESLA 1955, is hereby
10 amended to read as follows:

11 Sec. 325. INTERSTATE ARRANGEMENTS. ARRANGEMENTS WITH
12 STATES OR FEDERAL GOVERNMENT.] The Commission is authorized
13 to enter into arrangements whereby the facilities and services
14 provided under this Act, and the facilities and services pro-
15 vided under the employment security law of any other state
16 may be utilized for the making of claims and the payment of
17 benefits under this Act or under the employment security act
18 of such state. THE COMMISSION IS HEREBY AUTHORIZED TO ENTER
19 INTO ARRANGEMENTS WITH THE APPROPRIATE AGENCIES OF OTHER
20 STATES OR THE FEDERAL GOVERNMENT WHEREBY INDIVIDUALS PERFORM-
21 ING SERVICES IN THIS TERRITORY AND OTHER STATES FOR A SINGLE
22 EMPLOYING UNIT UNDER CIRCUMSTANCES NOT SPECIFICALLY PROVIDED
23 FOR IN SECTIONS 214 to 218 HEREIN, OR UNDER SIMILAR PROVI-
24 SIONS IN THE UNEMPLOYMENT COMPENSATION LAWS OF SUCH OTHER
25 STATES, SHALL BE DEEMED TO BE ENGAGED IN EMPLOYMENT PERFORMED
26 ENTIRELY WITHIN THIS TERRITORY OR WITHIN ONE OF SUCH OTHER
27 STATES AND WHEREBY POTENTIAL RIGHTS TO BENEFITS ACCUMULATED
28 UNDER THE UNEMPLOYMENT COMPENSATION LAWS OF ONE OR MORE STATES
29 OR UNDER SUCH A LAW OF THE FEDERAL GOVERNMENT, OR BOTH, MAY

1 CONSTITUTE THE BASIS FOR THE PAYMENT OF BENEFITS THROUGH A
2 SINGLE APPROPRIATE AGENCY UNDER TERMS WHICH THE COMMISSION
3 FINDS TO BE FAIR AND REASONABLE AS TO ALL AFFECTED INTERESTS
4 AND WILL NOT RESULT IN ANY SUBSTANTIAL LOSS TO THE FUND.7

5 Sec. 9. Article III, Ch. 5, ESLA 1955, is hereby amended by
6 adding a new section to read as follows:

7 N Sec. 325.1 RECIPROCAL ARRANGEMENTS. (a) RECIPROCAL
8 E COVERAGE. The Commission is hereby authorized to enter into
9 M reciprocal arrangements with appropriate and duly authorized
10 A agencies of other states or of the Federal Government, or
11 T both, whereby, notwithstanding the provisions of Section 761:
12 R

13 (1) Service performed by an individual for a
14 single employing unit for which service is customarily per-
15 deemed to be service performed entirely within any one of the
16 W states in which (A) any part of such individual's service is
17 M performed, or (B) such individual has his residence, or (C)
18 A the employing unit maintains a place of business: Provided,
19 T that there is in effect, as to such service, an approved
20 R election by an employing unit with the acquiescence of such
21 individual, pursuant to which service performed by such in-
22 dividual for such employing unit is deemed to be performed
23 entirely within such state; and

24 (2) Service performed by not more than three
25 N individuals, on any portion of a day but not necessarily
26 W simultaneously, for a single employing unit which customarily
27 M operates in more than one state shall be deemed to be service
28 A performed entirely within the state in which such employing
29 T unit maintains the headquarters of its business: Provided,
R

1 N that there is in effect, as to such service, an approved
2 E election by an employing unit with the affirmative consent of
3 W each such individual, pursuant to which service performed by
4 each such individual, pursuant to which service performed by
5 such individual for such employing unit is deemed to be per-
6 formed entirely within such state.

7 N (b) COOPERATION WITH AGENCIES OF FOREIGN GOVERN-
8 E M MENTS. To the extent permissible under the laws and Consti-
9 W tution of the United States, the Commission is authorized to
10 M enter into arrangements of the character provided in this
11 A section with the agency of a foreign government administering
12 T an employment security law.
13 E
14 R

15 Sec. 10. Sec. 502 of Article V, Ch. 5, ESLA 1955, as amended
16 by Ch. 169, SLA 1957, is hereby amended to read as follows:

17 Sec. 502. RATE OF CONTRIBUTIONS. Each employer shall
18 pay contributions equal to 2.7 percent of all wages paid by
19 him during the calendar year with respect to employment after
20 December 31, 1958 [COMMENCING JANUARY 1, 1955 EXCEPT AS
21 OTHERWISE PROVIDED IN SECTION 503]. Each individual perform-
22 ing services in employment [FOR SUCH EMPLOYER, COMMENCING
23 JANUARY 1, 1957,] after December 31, 1958, shall pay contri-
24 butions equal to one half of one percent of all wages paid to
25 him during the calendar year with respect to employment
26 [UNTIL JULY 1, 1961]. Provided, however, that each employer
27 shall pay contributions equal to 3.0 percent of all wages
28 paid by him during the calendar year with respect to employ-
29 ment after December 31, 1959, except as otherwise provided
30 in Article V (a).

31 [IN THE PAYMENT OF ANY CONTRIBUTIONS A FRACTIONAL PART
32 OF A CENT SHALL BE DISREGARDED UNLESS IT AMOUNTS TO ONE-HALF

1 CENT OR MORE, IN WHICH CASE IT SHALL BE INCREASED TO ONE
2 CENT.⁷

3 Sec. 11. Sec. 503 of Article V, Ch. 5, ESLA 1955, as amended
4 by Ch. 169, SLA 1957, is hereby repealed.

5 Sec. 12. Article V, Ch. 5, ESLA 1955 is hereby amended by
6 adding a new section to read as follows: .

7 Sec. 528. SERVICE OF PROCESS. Process for assessment
8 and collection of contributions may be served both within and
9 without this State, and in addition to any other method of
10 service provided in this Act, service may be made by certified
11 or registered mail.

12 Sec. 13. Article V, Ch. 5, ESLA 1955, is hereby amended by
13 adding a new section to read as follows:

14 N Sec. 529. STATE PAYMENTS TO THE FUND. Notwithstanding
15 E the provisions of Sections 501 through 527 of this Act, and
16 W any amendments thereto, the State of Alaska, in lieu of
17 M employer and employee contributions required by this Act,
18 A shall pay to the Commission for the unemployment compensation
19 T fund an amount equivalent to the amount of benefits paid out
20 E to claimants who during the applicable base period were paid
21 R wages by the State. If a claimant during such base period
22 was employed by both the State and other employers subject to
23 the provisions of this Act, the amount to be paid into the
24 fund by the State, with respect to such claimant, shall be an
25 amount equal to the additional cost of benefit payments made
26 from the fund which would not have been incurred but for the
27 inclusion of earnings from State employment in the individ-
28 ual's determination of benefit rights. The amount of pay-
29 ments required under this section to be made into the fund

1 N shall be ascertained by the Commission as soon as practicable
2 E after the end of each calendar month and shall be payable
3 W from the general fund of the State, except as provided here-
4 M after. If a claimant to whom benefits were paid was paid
5 A wages by the State during the base period from a special or
6 T administrative fund provided by law, the payment to the Com-
7 E mission for the unemployment compensation fund shall be made
8 R from such special or administrative fund. If the base period
9 wages of an individual include both wages for State employ-
10 ment paid from the general fund of the State and wages for
11 State employment paid from special or administrative funds,
12 the amount to be paid into the unemployment compensation fund
13 under this section with respect to the benefits paid such
14 individuals shall be prorated among the State funds in pro-
15 portion to the wages paid to such individual from each such
16 fund during the base period. The payment by the State into
17 the unemployment compensation fund shall be made at such times
18 and in such manner as the Commission may prescribe by regula-
19 tion.

20 Sec. 14. Ch. 5, ESLA 1955, is hereby amended by adding a new
21 article to read as follows:

22 N ARTICLE V (a)
23 E EXPERIENCE RATING
24 W
25 M Sec. 551. As used in this Article, the following terms
26 A have the meaning ascribed to them.
27 T Sec. 552. "Computation date" means June 30 of the year
28 E immediately preceding the calendar year for which the contri-
29 R bution rates are effective.
N Sec. 553. "Payroll" means the amount of wages paid by
E
W

1 N an employer to individuals in its employ for service in
2 E employment as defined in this Act; and the term "quarterly
3 W payroll" means the amount paid during a calendar quarter.
4 M "Ratable payroll" means the total payroll, for the four
5 A "Ratable payroll" means the total payroll, for the four
6 T quarters ending with the computation date, of all employers
7 E eligible for a rate determination. For the purpose of deter-
8 R mining the rate for a newly subject employer the definition
9 of employment in force at the time that he becomes subject
10 shall apply to service performed for him prior to the date on
11 which he becomes subject.

11 N Sec. 554. "Qualifying period" means the three-year per-
12 E iod of twelve consecutive calendar quarters ending on the
13 W computation date.

14 M Sec. 555. The standard rate of employer contributions
15 A shall be the amount specified in Sec. 502. However, an
16 T employer shall be eligible for a rate determination in accord-
17 E ance with the provisions of this Article and the Commission's
18 R regulations if during each year of the three-year qualifying
19 period ending on the computation date he (as an employing
20 unit or as an employer) has had individuals in his employ and
21 has maintained payroll records of the remuneration paid to
22 such individuals during each quarter of such year. Notwith-
23 N standing any other provisions of this Article, no employer
24 E shall be eligible for a rate determination pursuant to this
25 W Article if, with respect to any calendar quarter in a calendar
26 M year which precedes the computation date, he
27 A

27 R (a) has failed by the computation date to file any
28 payroll or contribution report required by this Act; or

29 (b) has failed by the computation date to pay any

1 N contributions (exclusive of interest and penalties) required
2 E by this Act.
3 W

4 M Sec. 556. The Commission shall determine each eligible
5 A employer's contribution rate by arraying such employer's
6 T quarterly payrolls in chronological order beginning with the
7 E first calendar quarter in the qualifying period and ending
8 R with the last calendar quarter in the period. Whenever an
9 employer's payroll in a calendar quarter is less than the
10 payroll in the preceding quarter in the qualifying period,
11 the quarterly decline quotient shall be computed to at least
12 nine decimal places by dividing the amount of the decline by
13 the amount of the payroll in the preceding calendar quarter.

14 N For the purpose of computing quarterly decline quotients,
15 E the Commission may, by regulation, prescribe: (a) the manner
16 W in which wages paid in the form of annual bonuses or other
17 M lump-sum payments for service performed over a period of more
18 A than three months shall be apportioned among the calendar
19 T quarters of the calendar year in which such service was per-
20 E formed; and (b) the method for making adjustments in quarterly
21 R payrolls to eliminate the effect upon quarterly decline quot-
22 ients resulting from unemployment which would not be compen-
23 sable by reason of the labor-dispute provision of Section 741
24 (i).

25 N Sec. 557. The Commission shall determine the sum of
26 E each eligible employer's decline quotients during the qualify-
27 W ing period, and the ratable payroll as of the computation
28 M date. The Commission shall then array all eligible employers
29 A in the order of the sum of their decline quotients beginning
30 T with the smallest sum of decline quotients and shall determine,
31 E
32 R

1 N with respect to each employer in the array, the cumulative
 2 E total payroll during the four consecutive quarters ending
 3 W with the computation date of all employers who precede him on
 4 M the list and the employer's own payroll for the same period.
 5 A

6 T The Commission shall segregate the arrayed employers
 7 E into groups in accordance with cumulative total payroll and
 8 R the employer's own payrolls. The limits of the groups shall
 9 be those set out in Column B of the table below. Each of
 10 such groups shall be identified by the rate class number in
 11 Column A which is opposite the figures in Column B which rep-
 12 resent the percentage limits of each group. Each employer in
 13 the array shall be assigned to the rate class in which the
 14 greater part of such employer's payroll falls except that if
 15 one-half of the employer's payroll falls in one class, and one
 16 half in another, he shall be assigned to the lower numbered
 17 rate class in which one-half of his payroll falls. Provided,
 18 that no employer shall be assigned to a higher numbered rate
 19 class than is assigned to another employer with the same sum
 20 of decline quotients. Each employer shall be assigned the
 21 contribution rate in Column C which is opposite such employ-
 22 er's rate class in Column A.

A Rate Class	B Arrayed Employer's Cumulative Payroll Limits (Percent of Ratable Payroll)		C Contribution Rate (Percent)
	More than	Equal to or Less Than	
1	0	10	2.0
2	10	20	2.2
3	20	30	2.4
4	30	40	2.6

1	N	5	40	50	2.8
2	E				
	W	6	50		3.0

3 M Sec. 558. If any adjustment is made in an employer's
4 A payroll or in the sum of his decline quotients after rates
5 T have been assigned, the adjustment shall not alter the posi-
6 E tion of any other employer on the schedule or the contribu-
7 R tion rate of any other employer. The employer with respect
8 to whom the adjustment in decline quotients is made shall be
9 placed in that class in which another employer with the near-
10 est similar sum of decline quotients is placed.

11 N Sec. 559. Whenever an employing unit (whether or not an
12 E employer within the meaning of Section 201) in any manner
13 W succeeds to, or acquires substantially all of the operating
14 M assets of, an organization, trade, or business of another
15 A employing unit which at the time of acquisition was an employ-
16 T er subject to this Act, the payroll records of such predecessor
17 R employer shall be transferred as of the date of acquisition
18 to the successor employer for the purpose of rate determina-
19 tion. Notwithstanding any other provision of this section,
20 if the successor employer was an employer subject to this Act
21 prior to the date of acquisition, his rate of contributions
22 for the remainder of the calendar year shall be his rate with
23 respect to the period immediately preceding the date of
24 acquisition; his rate for the succeeding years shall be based
25 N on the total of his payrolls and those of the predecessor.
26 W If the successor was not an employer prior to the date of
27 M acquisition, his rate shall be the rate applicable to the
28 A predecessor employer or employers with respect to the period
29 T immediately preceding the date of acquisition provided there

1 N was only one predecessor or there were only predecessors with
2 E identical rates; if the predecessor rates were not identical,
3 W the successor's rate shall be the highest rate applicable to
4 M any of the predecessor employers with respect to the period
5 A immediately preceding the date of acquisition. This section
6 T shall not apply to any acquisition if such acquisition is
7 E determined by the Commission (1) to have been primarily for
8 R the purpose of obtaining a more favorable rate of contribu-
9 tions under this Article, (2) to be inequitable to the
10 parties, or (3) to be contrary to the public interest.

11 Sec. 560. The Commission shall notify each employer
12 promptly of his rate of contributions as determined for any
13 calendar year pursuant to this Article. Such determination
14 N shall become conclusive upon the employer unless within 15
15 E days after the notice was mailed to his last known address or
16 W otherwise delivered to him, the employer files an application
17 M for review and redetermination, setting forth his reasons
18 A therefor. If the Commission grants such review, the employer
19 T shall be notified thereof promptly and shall be granted a
20 E reasonable opportunity for a fair hearing. The Commission
21 R shall make a redetermination and shall notify the employer of
22 the redetermination and the reason therefor. If the Commis-
23 sion denies a review, it shall notify the employer of the
24 denial and the reasons therefor. A redetermination or a
25 N denial of review shall become final, unless within 15 days
26 E after the notice was mailed to the last known address of the
27 W employer, or otherwise delivered to him, petition for jud-
28 N icial review is filed in accordance with Section 809.
29 W

Sec. 15. Subsection (a) of Sec. 741 of Article VII, Ch. 5,

1 ES LA 1955, as amended by Ch. 62, SLA 1957, as amended by Ch. 169,
2 SLA 1957, is hereby amended to read as follows:

3 (a) He was not able to work or was not available
4 for suitable work for such week. Provided:

5 (1) that for the purposes of this Act a woman
6 is declared to be unable to work for six weeks before the
7 expected date of childbirth and for the week in which a child
8 is born to her alive and for the five weeks immediately fol-
9 lowing such week, and provided further:

10 (2) that he shall not be considered ineligible
11 for receipt of unemployment benefits for any week because of
12 failure to comply with the provisions of this subsection if:

13 (i) he is unable to work because of an
14 illness or disability; or

15 (ii) he resides in Alaska and is not
16 available for work because of his non-commercial fishing and
17 hunting necessary for the survival of himself and his
18 dependents; and

19 (iii) the condition described in (i) or (ii)
20 above occurs during an uninterrupted period of unemployment
21 following a week for which he has filed a compensable claim
22 and no work has been offered him for any part of said week
23 which would have been suitable prior to the beginning of such
24 fishing, hunting, illness, or disability.

25 [THAT NO ALASKAN RESIDENT SHALL BE CONSIDERED INELIGIBLE FOR
26 RECEIPT OF UNEMPLOYMENT BENEFITS FOR ANY WEEK BECAUSE OF
27 FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SUBSECTION WHEN
28 SUCH FAILURE IS CAUSED BY HIS NON-COMMERCIAL FISHING AND HUNT-
29 ING NECESSARY FOR THE SURVIVAL OF HIMSELF AND HIS DEPENDENTS

1 DURING AN UNINTERRUPTED PERIOD OF UNEMPLOYMENT FOLLOWING A
2 WEEK FOR WHICH HE HAS FILED A COMPENSABLE CLAIM, PROVIDED,
3 THAT NO SUITABLE WORK HAS BEEN OFFERED HIM FOR ANY PART OF
4 SAID WEEK.]

5 Sec. 16. Subsection (f) of Sec. 741 of Article VII, Ch. 5,
6 ESLA 1955, is hereby amended to read as follows:

7 (f) Claimant has left [FOR ANY WEEK WHEREIN CLAIM-
8 ANT LEAVES] her most recent work to change her place of resi-
9 dence in order to remain with her husband or family, in which
10 case she shall be disqualified for the five weeks of continu-
11 ous unemployment immediately following such week, provided
12 that said disqualification may be sooner terminated by claim-
13 ant's earning additional wages, whether or not covered by this
14 Act, of at least \$120.00 and provided further that such dis-
15 qualification shall not apply if it is necessary for her to
16 provide the sole support of her husband or family [. SUCH
17 DISQUALIFICATION SHALL CONTINUE UNTIL SUCH TIME SUBSEQUENT TO
18 SUCH WEEK AS CLAIMANT EARNS ADDITIONAL WAGES, WHETHER OR NOT
19 COVERED BY THIS ACT, OF AT LEAST \$120.00]; or

20 Sec. 17. Subsection (h) of Sec. 741 of Article VII, Ch. 5,
21 ESLA 1955, is hereby repealed.

22 Sec. 18. This Act shall take effect immediately upon its
23 passage and approval, or upon its becoming law without such ap-
24 proval.