

Introduced: 2/23/68  
Referred: Labor and  
Management and Judiciary

1 IN THE SENATE

BY THE SPECIAL COMMITTEE  
ON LOCAL AUTONOMY

2 SENATE BILL NO. 347

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to labor organizations; and  
7 providing for an effective date."

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

9 \* Section 1. AS 23.40 is amended by adding a new section to read:

10 Sec. 23.40.045. RECORDS. (a) A person or labor organization  
11 operating a hiring hall or furnishing labor exclusively under a  
12 labor-management contract shall maintain accurate records in  
13 accordance with regulations promulgated by the commissioner.

14 (b) The records required under (a) of this section shall be  
15 open to inspection by the commissioner, his authorized representative,  
16 any member of the labor organization, and any employee affected by  
17 the labor-management contract, as a party or beneficiary.

18 \* Sec. 2. AS 23.40.050 is amended to read:

19 Sec. 23.40.050. LOCAL LABOR ORGANIZATIONS REQUIRED. (a) It  
20 shall be unlawful for any national, [OR] international or local labor  
21 organization having 100 or more members in good standing who reside  
22 or work in Alaska not to have at all times one or more duly chartered  
23 and established local organizations in this state.

24 (b) Each day during which any national, international or local  
25 labor organization having 100 or more members in good standing who  
26 reside or work in Alaska does not have one or more duly chartered  
27 and established local organization in this state constitutes a  
28 separate violation of the provisions of this section.

29 \* Sec. 3. AS 23.40 is amended by adding new sections to read:

1           Sec. 23.40.052. INTERFERENCE IN CHARTERING PROHIBITED. (a) It  
2 shall be unlawful for an officer, agent or employee of any national,  
3 international or local labor organization having 100 or more members  
4 in good standing who reside or work in Alaska to wilfully refuse to  
5 aid in, or to wilfully discourage or attempt to discourage or impede,  
6 the chartering and establishment of a local organization in this  
7 state in accordance with sec. 50 of this chapter.

8           (b) Each wilful act committed by any person, described in (a)  
9 of this section, for the purpose of discouraging, impeding or  
10 attempting to discourage or impede the chartering and establishment  
11 of a local organization in this state as required under sec. 50 of  
12 this chapter, constitutes a separate violation of the provisions of  
13 this section.

14           Sec. 23.40.054. PUBLIC NUISANCE. The operation or maintenance  
15 of a hiring hall or dispatching office in the State of Alaska by a  
16 national, international or local labor organization having 100 or  
17 more members in good standing who reside or work in Alaska which is  
18 not in compliance with sec. 50 of this chapter shall constitute a  
19 public nuisance and shall be enjoined upon application of the attorney  
20 general.

21           Sec. 23.40.065. EXCEPTIONS AND EXEMPTIONS NOT REQUIRED TO BE  
22 NEGATIVED. In a complaint, information, or indictment, and in an  
23 action or proceeding brought for the enforcement of any provision of  
24 this chapter, it is not necessary to negative any exception, excuse,  
25 proviso, or exemption, contained in this chapter, and the burden of  
26 proof of an exception, excuse, proviso, or exemption is upon the  
27 defendant.

28       \* Sec. 4. AS 23.40.060 is repealed and re-enacted to read:

29           Sec. 23.40.060. PENALTIES. (a) Any national, international or

1 local labor organization which violates sec. 50 of this chapter,  
2 upon conviction, is punishable by a fine of not less than \$1,000 or  
3 more than \$10,000 for each offense.

4 (b) An officer, agent or employee of any national, inter-  
5 national or local labor organization who violates sec. 52 of this  
6 chapter is punishable, upon conviction, by a fine of not more than  
7 \$1,000 or by imprisonment of not more than one year, or both.

8 (c) Failure to maintain accurate records in accordance with  
9 sec. 45(a) of this chapter and the regulations promulgated thereunder  
10 is a misdemeanor punishable by a fine of not more than \$1,000 or by  
11 imprisonment for not more than one year, or both.

12 (d) Wilful failure to comply with sec. 45(b) of this chapter  
13 is a misdemeanor punishable by a fine of not more than \$1,000 or by  
14 imprisonment for not more than one year, or both.

15 \* Sec. 5. This Act takes effect on the day after its passage and  
16 approval or on the day it becomes law without approval.  
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