

Original Sponsor: Special Committee
on Local Autonomy

Offered: 4/11/58
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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HOUSE CS FOR SENATE BILL NO. 347

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

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

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Sec. 23.40.055. RECORDS. (a) A person who or labor organization

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which operates a hiring-hall or furnishes labor exclusively under a

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labor-management contract and which does not have a chartered local in

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this state shall maintain accurate hiring, dispatching and membership

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records in accordance with regulations promulgated by the commissioner.

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(b) The records required under (a) of this section shall be open

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to inspection by the commissioner or his authorized representative.

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* Sec. 2. AS 23.40 is amended by adding new sections to read:

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Sec. 23.40.052. INTERFERENCE IN CHARTERING PROHIBITED. It shall

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be unlawful for an officer of any national, international labor or

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local labor organization, having 100 or more members in good standing

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who reside or work in Alaska to wilfully discourage or impede or attempt

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to discourage or impede, by means of coercion or other unlawful act,

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the chartering and establishment of a local organization in this state

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in accordance with sec. 50 of this chapter. However, this section does

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not apply to a labor organization which has a chartered local in this

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state.

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Sec. 23.40.054. CIVIL ENFORCEMENT. In addition to the criminal

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penalties provided for in this chapter, the attorney general may

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enforce the provisions of this chapter by appropriate civil proceedings,

1 including injunctive relief, against threatened, repeated or continuous
2 violations of this chapter or regulations adopted under it. These
3 proceedings may be brought against an international, national or local
4 labor organization or an officer of an international, national or local
5 labor organization.

6 Sec. 23.40.056. EXEMPTIONS. (a) The commissioner may grant an
7 exemption from the provisions of secs. 45 - 60 of this chapter to a
8 labor organization which

9 (1) has so few members who reside in Alaska that chartering
10 and operating a local would work a financial hardship on these members;

11 (2) maintains local-hire preference provisions in all of its
12 labor-management agreements in the state; or

13 (3) maintains provisions in its constitution and bylaws for
14 the election, by and from among the members of the organization who
15 reside in Alaska, of a business agent or other person in charge of
16 hiring-hall in Alaska, and dispatch and grievance procedures.

17 (b) Exemptions granted under this section shall be applied for
18 and issued on an annual basis in accordance with regulations adopted
19 by the department.

20 * Sec. 3. AS 23.40.060 is repealed and re-enacted to read:

21 Sec. 23.40.060. PENALTIES. (a) Any national or international
22 labor organization which violates sec. 50 of this chapter, upon con-
23 viction, is punishable by a fine of not less than \$1,000 or more than
24 \$10,000.

25 (b) An officer of any national, international or local labor
26 organization who violates sec. 52 of this chapter is punishable, upon
27 conviction, by a fine of not more than \$1,000 or by imprisonment of
28 not more than one year, or by both.

29 (c) Failure to maintain accurate records in accordance with

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sec. 45(a) of this chapter and the regulations promulgated under it is a misdemeanor punishable by a fine of not more than \$10,000 or by imprisonment for not more than one year, or by both.

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

* Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.