

S

B

552



COMMITTEE REPORT

HOUSE

4/7

FURTHER: FINANCE

(5)

3/22/82

Date: 4-7-82

Mr. Speaker:

The Committee on LABOR & COMMERCE has had CSSB 552(Fin)

"An Act exempting certain child care workers from the Alaska Wage and Hour Act."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recom. dations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_

AND attaches a "Letter of Intent"  ~~New~~ Fiscal Note

reports it back with <sup>indiv.</sup> ~~out~~ recommendation *zero*

referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Terry Markle  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

Don Rogers No Rec  
Ch. Williams No Rec  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Terry Markle  
CHAIRMAN



STATE OF ALASKA  
THE LEGISLATURE

POUCHY STATE CAPITOL  
JUNEAU ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 7, 1982

SUBJECT: Single subject rule and germaneness  
requirement as applied to the House Rules  
Committee Substitute for CSSB 552 (Finance)

TO: Representative John G. Fuller  
Chairman, House Rules Committee

FROM: Edward H. Hein *E.H.*  
Legislative Counsel

Enclosed is the committee substitute you requested for  
SB 552.

You should note that combining CSSB 552 (Finance), which  
deals with exempting certain workers from the Alaska Wage  
and Hour Act, with the substance of CSHB 757 (Labor and  
Commerce), which deals with unemployment insurance, may  
violate Article II, Sec. 13 of the Alaska Constitution,  
Uniform Rule 35, and Section 402 of Mason's Manual.

Article II, Sec. 13 provides, in part:

Every bill shall be confined to one subject unless it  
is an appropriation bill or one codifying, revising, or  
rearranging existing laws.

Rule 35 provides, in relevant part:

No motion or proposition on a subject shall be admitted  
under color of amendment if the subject matter is  
different from that under consideration.

Sec. 402.1 of Mason's Manual provides, in part:

Every amendment proposed must be germane to the subject  
of the proposition or to the section or paragraph to be  
amended, and an amendment is not in order which is not  
germane to the question to be amended.

Representative John G. Fuller

Page 2

May 7, 1982

I am unable to identify the single subject encompassed by HCS CSSB 552 (Rules). For this reason, I am of the opinion that the bill violates Article II, Sec. 13 of the Alaska Constitution. Note, however, that this is ultimately a matter to be determined by the courts and that, to date, no Alaska law has been found in violation of the single subject rule.

In addition, the subject of this committee substitute may not be germane to the subject of CSSB 552 (Finance). If a member raises the issue, the vote of the body, rather than the ruling of the presiding officer, decides the question.

EHH:ljb

Enclosure

AMENDED TITLE: CS55 552(FIN)  
 AN ACT EXEMPTING CERTAIN CHILD CARE WORKERS FROM THE ALASKA  
 WAGE AND HOUR ACT

PRIME SPONSOR: MULCAHY. GENERAL DOLLARS: \$0 (F. NOTE)  
 OTHER DOLLARS: \$0

CO-SPONSORS:  
 CURRENT STATUS: 4/07/82 IN (H) FINANCE

SB 552 SENATE ACTION 14:32 4/18/82 PAGE 2 OF 3  
 LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
05/06/81	01	0978	FIRST READING -- COMMITTEE REPORTS
05/26/81	02	1237	L&C -- CS03
03/18/82	03	0603	FIN -- CS04
03/18/82	04	0603	F/NOTE EQUALS ZERO
03/22/82	05	0638	RLS -- OTHER03 TAKEN UP IMMEDIATELY
03/22/82	06	0641	SECOND READING
03/22/82	07	0641	FIN CS ADOPTED BY UNAN CONSENT
03/22/82	08	0641	ADVANCED TO 3RD READING BY UNAN CONSENT
03/22/82	09	0641	THIRD READING
03/22/82	10	0642	PASSED BY DIV 16-00-04
***	**	**	*** ** *

SB 552 HOUSE ACTION 14:32 4/18/82 PAGE 3 OF 3  
 LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
03/22/82	11	0085	FIRST READING -- COMMITTEE REPORTS
04/07/82	12	1173	L&C -- DP01, NR02 FINANCE RULES

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House CS for CS for Senate Bill No. 552 (Rules)

Title "An Act relating to Unemployment Insurance & exempting certain child care . . ."

Requested by House Rules Committee

Date 5/10/82

II. FISCAL DETAIL

Agency Affected All agencies

Program Category Affected All, indirectly decreases General Fund reimb. to UI Trust Fund.

BRU, Program, or Subprogram(s) Affected All indirectly

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-0-	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions

Amendments to extended benefit provisions will result in a 4% decrease in extended benefits paid. Effective September 26, 1982.

Increase in weekly benefit amount to \$156, is effective 1/1/83. Benefits will increase 1.9% due to increase in weekly benefit amount.

Approximately 26 former state employees will be covered by the new Section 23.20.353.

IV. DATE 5/10/82  
B:10

PREPARED BY Nico Bus, Finance Officer

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House CS for CS for Senate Bill 552 (Rules)

Title "An Act relating to Unemployment Insurance and exempting certain child care . . ."

Requested by House Rules Committee

Date 5/10/82

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Social Services

BRU, Program, or Subprogram(s) Affected Employment Security, Unemployment Insurance

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-0-	94.1	103.5	113.6	125.2	137.8
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	10.0	63.3	24.3	26.7	29.4	32.3
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
<b>TOTAL</b>	<b>10.0</b>	<b>160.4</b>	<b>131.1</b>	<b>143.9</b>	<b>158.6</b>	<b>174.5</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	5.0	25.0	-0-	-0-	-0-	-0-
FEDERAL FUNDS	5.0	135.4	131.1	143.9	158.6	174.5
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The proposed amendments to AS 23.20.350 to increase maximum benefit amount will require additional programming services. Proposed AS 23.20.401, dealing with interception of UI Benefits to pay child support obligations, will also require expenditures for programming and forms.

Contractual programming expenditures for the State Supplemental Benefit System, child support interception and the increase in UI benefit amount are based on an estimated 1,280 man-hours of programming time at \$40 per hour. (\$10 - FY '82, \$41.2 - FY '83.)

The proposed amendment to AS 23.20.353, to implement a Supplemental State Benefit System will require state funds for data processing development costs and personal services statewide for processing SSB claims.

Assumes that the positions will be existing positions.

IV. DATE 5/10/82

B:11

PREPARED BY Nico Bus, Finance Officer

AGENCY Labor

Original: Legislative Finance

PHONE 465-2720

cc: Budget and Management

Prime Sponsor (First Legislator Named)

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 552 (Finance)

Title "An Act exempting child care workers from the Wage & Hour. . ."

Requested by House Labor & Commerce Committee

Date 3/31/82

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Labor Standards & Safety

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact.

IV. DATE 3/31/82

PREPARED BY *Nico Bus* Nico Bus, Finance Officer

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 552  
 Title "An Act relating to employment practices and working conditions."  
 Requested by Senate Finance Committee Date March 10, 1982

II. FISCAL DETAIL

Agency Affected Labor  
 Program Category Affected Public Protection  
 BRU, Program, Or Subprogram(s) Affected Labor Standards & Safety  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

No Fiscal Impact

IV. DATE March 10, 1982 PREPARED BY *Wico Bus*  
 AGENCY Labor  
 PHONE 465-2720  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

HOUSE CS FOR CS SENATE BILL 552 (RULES)

BILL ANALYSIS

Section 1. Exempts workers in residential educational or child care facilities from the provisions of the Alaska Wage and Hour Act. Annual earnings must be not less than \$10,000 for an unmarried person or \$15,000 for a married couple exclusive of room and board.

Section 2. Federal conformity requirement of P.L. 96-249. Must be effective in state law by January 1, 1983. Amends AS 23.20.110 as follows:

1. Adds subsection (f) to require the sharing of unemployment insurance claims information with a state or federal agency which administers the Food Stamp program under the Food Stamp Act of 1977.
2. Adds subsection (g) to extend the requirements as AS 23.20.110 to any officer or employee of a state or federal agency which is provided information by the department.

Section 3. Federal conformity requirement (P.L. 96-249). Amends AS 23.20.115 to conform with AS 23.20.110(g) by adding state or federal employees to the list of those subject to prosecution for unauthorized disclosure of information.

Section 4. Housekeeping. Amends 23.20.165(e) as follows:

1. Excludes, from refunds of excess employee contributions, any interest paid by the employer on those contributions. Since only the employer pays interest on past due contributions (including the contributions he has deducted from his employee's wages), it is not equitable to make interest refundable to the employee.
2. Makes clear that employee deductions in excess of those required by AS 23.20.005 through 23.20.535 will be refunded. AS 23.20.165(e) currently specifies that only deductions in excess of the wages subject to contributions will be refunded.

Section 5. Housekeeping. Corrects the table under AS 23.20.290(c) by deleting the figure "100" on the last line of the table. To constitute a full one-twentieth of the total ratable payroll, rate class 20 under column A must include the remaining 5% of ratable payroll over 95%.

Section 6. Housekeeping. Amends AS 23.20.340(d) to complete the list of statutes under which a claimant may be disqualified.

Section 7. Housekeeping. Amends AS 23.20.340(f) to complete the list of statutes under which a claimant may be disqualified and specifies that all interested parties are entitled to appeal nonmonetary determinations.

Section 8. The Labor and Commerce Committee substitute provision would amend AS 23.20.350(d) to increase the weekly benefit schedule to a maximum of \$156. The proposed weekly benefit schedule would increase benefit outlay from the trust fund in calendar year 1983 by \$1.5 million or 1.9 percent.

Section 9. The Labor and Commerce Committee substitute provision adds AS 23.20.353 to provide supplemental state benefits for claimants who are ineligible for extended benefits because their base period wages are less than 40 times their weekly benefit amount. The "40 X WBA" requirement for receipt of extended benefits is mandated by P.L. 97-35 and is included as an amendment to AS 23.20.406 in Section 19 of the bill. Payment of supplemental state benefits is expected to result in an increased benefit outlay from the trust fund in CY 1983 of approximately \$1.1 million or 1.4%.

The net effect of the benefit amount increase, the payment of supplemental state benefits and the savings caused by the extended benefit restrictions under Sections 19, 22, and 23 of the bill will be a net increase of \$.7 million (.9%) in CY 1983 benefit payments from the fund. (The extended benefit restrictions would save about \$1.9 million in CY 1983).

Section 10. Housekeeping. Redrafts AS 23.20.360 to make the provision clearer. The current provision reads that the allowance for dependents is excluded from the amount paid to the claimant, and that is clearly not intended, in view of the requirements of AS 23.20.350. The revised provision correctly excludes dependents allowance only from the amount of benefits subject to reduction.

Section 11. Housekeeping. Amends AS 23.20.375(a) to complete the list of "disqualification" statutes.

Section 12. Housekeeping. Clarifies AS 23.20.378(a) by combining paragraphs (1) through (4) under a single new paragraph and designating paragraph (5) as paragraph (2). The context of the current provision implies that paragraph (5) was intended to be a necessary condition of paragraphs (1) through (3), but that is not how the provision reads.

Section 13. Housekeeping. Recodifies the current AS 23.20.350(b) as AS 23.20.381(g). This requalifying requirement is mandated by Section 3304(a)(7) of the Internal Revenue Code, but it is not a monetary requirement and should not appear under AS 23.20.350. A benefit year is established for any claimant who meets the qualifying requirements of AS 23.20.350(a) (at least \$1000 in earnings in the base period, with at least \$100 outside the quarter of highest earnings), and an eligible monetary determination is issued, whether or not the claimant has actually

worked since last establishing a benefit year. A claimant who has not had work and earnings since last establishing a benefit year is simply not payable on his current benefit year until the requalifying requirement is met.

Section 14. Federal conformity requirement. Required in all state laws by Section 236(a)(2) of the Trade Act, as amended by P.L. 97-35, and must be effective by October 31, 1982. Amends AS 23.20.382 by adding subsections (b) and (c) to prohibit disqualification of an individual attending training approved under the Trade Act of 1974. A housekeeping change was made to the current Section 382 and it was designated as subsection (a).

Section 15. Housekeeping. Clarifies AS 23.20.383(b) by restoring it to its original meaning prior to the 1980 amendments. Before the 1980 amendments an individual who was unemployed because of a labor dispute could escape disqualification if he was not involved in the dispute and was not a member of the grade or class of workers who were involved. However, if the labor dispute was caused by the employer's failure to comply with a working agreement or applicable law, the employee escaped disqualification regardless of his involvement. The 1980 amendments recodified the old AS 23.20.380(9) as AS 23.20.383 with minor changes. However, at that time the three "exception" provisions were made conjunctive, so that (as the provision currently reads) a claimant is disqualified unless (1) he is not involved in the dispute and (2) the dispute was caused by the employer's failure to comply with the law or a working agreement. These two circumstances would occur together so seldom that the "exception" provisions are virtually meaningless at present.

Section 16. Housekeeping. Amends AS 23.20.390(e) to provide a 15-day period for appeal from notices of liability. This same 15-day period applies to all other determinations under the Act and we see no reason to restrict liability appeals to 10 days.

Section 17. Departmental recommendation. Adds AS 23.20.392 to provide authority to collect from an employer the amount he deducts from a backpay award to an employee. This provision would apply only when the deduction is made because the employee has already received unemployment insurance benefits during the period covered by the award and has been found ineligible for those benefits because of the back pay award. We do not advise subsidizing the back pay award with benefits paid from the trust fund, especially since the employee is going to be held liable for repaying the benefits.

Section 18. Federal conformity requirement of P.L. 97-35. Must be included in state laws not later than October 31, 1982. Adds Section 401 to provide for interception of benefits due a claimant who owes child support obligations.

Section 19. Federal conformity requirement of P.L. 97-35 which must apply to weeks of unemployment which begin after September 25, 1982 and must be included in state laws by October 31, 1982. Adds subsection

(j) to AS 23.20.406 to require wages of at least 40 times the weekly benefit amount during the base period of the benefit year in order to qualify for extended benefits. The federal amendment requires at least 20 weeks of full-time insured employment, or the equivalent in insured wages. The "equivalent in insured wages" specified by the federal law is earnings of 40 times weekly benefit amount or 1-1/2 times highest quarter earnings in the base period. The 40 X WBA option is recommended as the most liberal qualifying requirement.

Section 20. Federal conformity requirement (P.L. 97-35). Must be included in state laws by October 31, 1982. Adds subsection (c) to AS 23.20.407 to reduce weeks of extended benefits by any weeks of trade readjustment allowance received during the applicable benefit year.

Section 21. Federal conformity requirement (P.L. 97-35). Must be included in state laws by October 31, 1982. Amends AS 23.20.408(a) to remove the reference to national "on" and "off" indicators for the purpose of establishing an extended benefit period. The national trigger was repealed by P.L. 97-35, and extended benefits will be payable only when an extended benefit period is triggered on by a state indicator.

Sections 22-23. Federal conformity requirements (P.L. 97-35). Must apply to weeks beginning after September 25, 1982. Amend AS 23.20.408(f) and (g) by adding one percent to the insured unemployment rate necessary to trigger an extended benefit period on or off.

Section 24. Federal conformity requirement (P.L. 97-35). Must apply to weeks beginning after September 25, 1982. Amends AS 23.20.408(h) to exclude extended benefit payments from the calculation of the insured unemployment rate.

Section 25. Federal conformity requirement (P.L. 97-35). Must be included in state laws by October 31, 1982. Amends AS 23-20.409(1) to exclude the national EB trigger from the definition of "extended benefit period."

Section 26. Departmental recommendation. Defines "applicable benefit year" in accordance with the definition contained in 20 CFR 615.2(c)(2). The term is used in various places in the extended benefit provisions.

Section 27. Housekeeping. Amends AS 23.20.505(a) as follows:

1. Makes AS 23.20.505(a) consistent with AS 23.20.530 by substituting the term "wages" for "remuneration." "Wages" is already defined in Section 530 as remuneration for services. The use of the term "remuneration" in Section 505(a) is therefore redundant.
2. Corrects the "excess earnings" computation in AS 23.20.505(a) to specify that an individual's wages for a week must be less than 1 1/3 times the weekly benefit amount plus \$50, in order to qualify for benefits for that week. The current provision is inconsistent with AS 23.20.360.

Section 28. Housekeeping. Amends the definition of "institution of higher education" in AS 23.20.520(24) to include institutions in other states. The definition of "training or retraining course" in AS 23.20.520(26) excludes instruction intended for a degree from an institution of higher education. It is therefore not recommended that the definition of "institution of higher education" be limited to Alaska schools.

Section 29. Housekeeping. Amends the definition of "training or retraining course" in AS 23.20.520(26) as follows:

1. Changes the term defined in the provision to read "vocational training or retraining course", for consistency with AS 23.20.382.
2. Deletes the term "entry level" from the definition. We do not recommend restricting approvable training to entry level training only. For example, some union-sponsored training is not "entry level" but is nevertheless required for continued employment in the occupation.

Section 30. Housekeeping. Amends AS 23.20.526(a) to exclude service as a juror from the definition of "employment." It is assumed that this was the intent of the Legislature when it excluded compensation received for jury duty from the definition of "wages" under AS 23.20.530(b)(12). However, if "wages" means all remuneration from whatever source, excluding jury pay from "wages" means it is not deductible from benefits. We recommend excluding jury duty from the definition of "employment" but not recommend excluding jury pay from "wages." AS 23.20.530(b)(12), which excludes jury pay from "wages", is repealed in Section 33 of the bill.

Section 31. Clarifies the definition of "wages" in AS 23.20.530(a) as follows:

1. Makes clear that "wages" means remuneration from any source. It is recommended that the definition of "wages" refer to remuneration received from any employment, whether or not insured. The definition would then clearly apply both to determinations of insured status (initial determinations) under AS 23.20.350(a), and to the deduction of earnings from the weekly benefit amount, under AS 23.20.360, for a week in which a claimant is employed. Applying the definition of "wages" in this way would simplify the administration of these provisions and agrees with the way the definition is used in the federal draft provision upon which AS 23.20.530(a) is based.
2. Includes back pay as wages, regardless of whether the back pay was "awarded under a statute of this State or the United States." We do not recommend language which requires back pay awards to be compelled by force of law in order to be considered wages. This would exclude many back pay awards which are clearly intended as wages, for example where an employer freely negotiates a back pay award to an employee as the result of a wage dispute.

3. Requires allocation of back pay and irregular wage payments to the week in which the pay was earned, regardless of the purpose for the allocation. We recommend that these payments be allocated both for initial determinations under AS 23.20.350(a) and for deductions from benefits under AS 23.20.360.

Section 32. Housekeeping. Adds paragraph (13) to AS 23.20.530(b) to exclude, from the definition of "wages", any compensation received for inactive National Guard duty. This provision was simply transferred from AS 23.20.505(c).

Section 33. Repeals the following provisions:

1. AS 23.20.350(b). Housekeeping. This provision was recodified as AS 23.20.381(g) under Section 12 of the bill.
2. AS 23.20.408(d) through (e). Repeal of these provisions is a requirement for conformity with P.L. 97-35. The definition of national "on" and "off" indicators is unnecessary because the national indicators were repealed by P.L. 97-35.
3. AS 23.20.505(b). Housekeeping. This definition of "remuneration" is not necessary, since Section 27 of the bill substitutes the term "wages" for the term "remuneration" in AS 23.20.505(a), and "wages" is already defined in AS 23.20.530(a).
4. AS 23.20.505(c). Housekeeping. This provision was recodified as AS 23.20.530(b)(13) in Section 32 of the bill.
5. AS 23.20.530(b)(11). Housekeeping. Repeal of this provision would allow remuneration received from fishing to be treated as wages. Section 3121(b)(20) of the Internal Revenue Code excludes service by individuals engaged in certain fishing operations from the definition of "employment", and AS 23.20.526(20) already excludes this service from coverage, in conformity with the federal law. However, excluding fishing earnings from the term "wages" goes further than required by the federal provision and prohibits deduction of this remuneration from benefits during a week in which a claimant is fishing.
6. AS 23.20.530(b)(12). Housekeeping. Repeal of this provision would include jury pay as wages and permit deduction of jury pay from benefits otherwise due for a week. Jury duty would be excluded from insured coverage by excluding it from the definition of "employment" under AS 23.20.526(a)(21), as proposed in Section 30 of the bill.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 7, 1982

SUBJECT: Single subject rule and germaneness  
requirement as applied to the House Rules  
Committee Substitute for CSSB 552 (Finance)

TO: Representative John G. Fuller  
Chairman, House Rules Committee

FROM: Edward H. Hein *E.H.*  
Legislative Counsel

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violate Article II, Sec. 13 of the Alaska Constitution,  
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germane to the question to be amended.

I am unable to identify the single subject encompassed by HCS CSSB 552 (Rules). For this reason, I am of the opinion that the bill violates Article II, Sec. 13 of the Alaska Constitution. Note, however, that this is ultimately a matter to be determined by the courts and that, to date, no Alaska law has been found in violation of the single subject rule.

In addition, the subject of this committee substitute may not be germane to the subject of CSSB 552 (Finance). If a member raises the issue, the vote of the body, rather than the ruling of the presiding officer, decides the question.

EHH:ljb

Enclosure