

CHAPTER 168

AN ACT

Relating to business corporations; repealing Sec. 36-1-11 ACLA 1949, as amended by Ch. 57 SLA 1957, and Sec. 36-2-3 ACLA 1949 as amended by Ch. 22 SLA 1957 as amended by Ch. 126 (House Bill 93) SLA 1957 and declaring an emergency.

(H. B. 244)

Be it enacted by the Legislature of the Territory of Alaska:

under Alaska law on corporations."

Section 1. Sec. 36-1-11 ACLA 1949, as amended by Ch. 57 SLA 1957 and Sec. 36-2-3 ACLA 1949, as amended by Ch. 22 SLA 1957 are hereby repealed.

Sec. 3. Sec. 3 of Ch. 126, (House Bill 93), SLA 1957 is hereby amended to read as follows:

Sec. 3. **Purposes.** Corporations may be organized under this Act for any lawful purpose or purposes.

Sec. 2. Sec. 2 of Ch. 126, (House Bill 93), SLA 1957 is hereby amended by adding the following definition:

Sec. 4. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.

"(o) "Franchise tax" means the annual corporation tax imposed

Approved April 3, 1957

CHAPTER 169

AN ACT

Relating to Employment Security, amending Articles II, III, IV, V, VII, and X of the Alaska Employment Security Act (Chapter 5, ESLA 1955); repealing Section 603 of Article VI, and declaring an emergency.

(C. S. for S. B. 41)

Be it enacted by the Legislature of the Territory of Alaska:

with the day as of which an insured worker first files a request for determination of his insured status, and thereafter the one-year period beginning with the day as of which he next files such request after the end of his last preceding benefit year. The filing

Section 1. Sec. 205, Art. II of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 205. "Benefit year" means the one-year period beginning

of a notice of unemployment shall be deemed a request for determination of insured status if a current benefit year has not previously been established.

Sec. 2. Art. II of Ch. 5, ESLA 1955, is hereby amended by adding a new section to read as follows:

Sec. 220.1. The term "employment" shall not include newsboys' services in selling or distributing newspapers on the street or from house to house.

Sec. 3. Art. II of Ch. 5, ESLA 1955 is hereby amended by adding a new Section to read as follows:

Section 220.2. The term "employment" shall not include service performed after December 31, 1956 by nurses, technicians, and other professional employees of hospitals no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Sec. 4. Sec. 229, Art. II of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 229. The term "employment" shall not include service performed in the employ of the Territory of Alaska or municipalities or other political subdivisions of Alaska, except as provided in Section 604 of this Act.

Sec. 5. Sec. 254, Art. II of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 254. **Unemployed Individual.** An individual shall be deemed to be "unemployed" in any week during which he performs no services and with respect to which no remuneration is payable to him, or in any week

of less than full-time work if the remuneration payable to him with respect to such week is less than his basic weekly benefit amount plus ten dollars or one and one-half times his basic weekly benefit amount, whichever amount is greater. The provisions of this section shall be effective for all persons whose claims are paid after July 1, 1957 excepting the persons payment of whose claims have been delayed due to court action.

Sec. 6. Sec. 301, Art. III of Ch. 5, ESLA 1955 is hereby amended to read as follows:

Sec. 301. **Appointment of Members.** There is hereby created a Commission to be known as the Alaska Employment Security Commission. The Commission shall consist of five members who shall be appointed by the Governor by and with the consent of the Legislature in joint session of both Houses and in substantial conformity with Ch. 64 SLA 1955. Members of the Commission shall be residents of the Territory of Alaska and citizens of the United States over the age of 21 years. None of the members shall be an employee of the Territorial Government. The five members appointed by the Governor shall consist of two who shall be representatives of labor, one of whom shall have knowledge of and be experienced in the fishing industry, two who shall be representatives of industry or management, and one who shall represent the public. The Governor shall select the labor members from a list of at least six names submitted by the Executive Council of the Alaska Territorial Federation of Labor, AFL-CIO; the management members shall be selected

from a list of at least six names submitted by the Board of Directors of the All-Alaska Chamber of Commerce; and the public member shall be selected from a list of at least three names submitted by the Board of Governors of the Alaska Bar Association, which list may, but need not, contain the name of any attorney.

Sec. 7. Sec. 302, Art III of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 302. **Terms of Office.** Except as provided in this section and in Section 303 herein, each member shall hold office for a term of three years. The first members of the Commission created by this Act shall be appointed from the lists of nominees as provided by Section 301, as amended herein, and their names presented to the Legislature within five (5) days of approval of this Act, or upon its becoming law without such approval, by the Governor by and with the consent of the Legislature in joint session assembled. The terms of office of the first members of the Commission created by this Act shall expire as follows: The term of one management member and one labor member shall expire February 1, 1958; the term of one labor member and one management member shall expire on February 1, 1959; and the term of the member representing the public shall expire February 1, 1960. The long and short terms of the first labor and management members respectively shall be determined by them by lot at their first meeting after the effective date of this Act. The Governor, at any time, after due notice and public hearing, may remove any member of the Com-

mission for neglect of duty, malfeasance in office, or the commission of a crime involving moral turpitude.

Sec. 8. Sec. 303, of Art. III, Ch. 5, ESLA 1955 is hereby amended to read as follows:

Sec. 303. **Vacancy on Commission.** If a vacancy occurs at a time when the Legislature is not in session, through death, resignation, removal or disqualification, under this Act, a new member shall be appointed by the Governor within 60 days to fill the vacancy, which new appointee shall have the qualifications herein prescribed and shall hold office for the remainder of the term for which his predecessor was appointed.

Within ten days of the occurrence of any vacancy on the Commission, the Governor shall notify the organization required to submit the names of nominees under Section 301, as amended herein, for appointment to the position made vacant. Such names shall be submitted to the Governor no less than 30 days after receipt of notice by the appropriate organization. All appointments for an unexpired term shall be made by the Governor from the names submitted.

Sec. 9. Sec. 304 of Art. III, Ch. 5 ESLA 1955, is hereby amended to read as follows:

Sec. 304. **Chairman; Reimbursement of Members.** One of the members of the Commission shall be chosen by a majority vote of all its members as chairman of the Commission. The five members of the Commission shall receive compensation at the rate of \$35.00 per day while in atten-

dance at official meetings of the Commission or while engaged in necessary travel thereto and therefrom. In addition, members of the Commission shall receive necessary travel expenses as provided for by regulations adopted by the Commission and approved by the Secretary of Labor or his designated representatives. The Commission shall meet not less frequently than once every sixty days.

Sec. 10. Sec. 305 of Art. III, Ch. 5 ESLA 1955, is hereby amended to read as follows:

Sec. 305. **Quorum.** A quorum shall consist of four or five members of the Commission, provided that representatives of labor and management are present in equal numbers. Decisions reached by the quorum shall be considered the decisions of the Commission.

Sec. 11. **Continuation Clause.** All rules, regulations, procedures, policies, funds, contracts, agreements, employee's positions, accounts, assets, liabilities, and benefit conditions and amounts, whether vested or contingent, established in any manner under the authority of the Alaska Employment Security Law, are hereby continued, except where inconsistent with the provisions of this Act, and the Commission as heretofore constituted and existing shall continue to exist and have full authority until such time as the Commission created by this Act has been duly appointed and is legally existing.

Sec. 12. A new subsection of Sec. 316, Art. III, Ch. 5, ESLA 1955, is hereby enacted to read as follows:

(c) This section shall supersede Chapter 30, SLA 1953 insofar as Chapter 30, SLA 1953 applies to

records, reports, transcripts, and other papers, or reproductions thereof, in the custody of the Commission.

Sec. 13. Subsection (a) of Sec. 401, Art. IV, Ch. 5, ESLA 1955, is hereby amended to read as follows:

(a) All contributions collected under this Act, together with any interest thereon collected pursuant to Section 511 herein;

Sec. 14. Sec. 402, Art. IV of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 402. **Accounts and Deposit.** The Territorial treasurer shall be ex-officio the treasurer and custodian of the fund and shall administer such funds in accordance with the direction of the Commission and shall issue his checks or warrants upon it in accordance with such regulations as the Commission may prescribe. He shall maintain within the fund three separate accounts:

- (a) a Clearing Account.
- (b) an Unemployment Trust Fund Account, and
- (c) a Benefit Account.

All moneys payable to the fund, upon receipt thereof by the Commission shall be forwarded to the Treasurer who shall immediately deposit them in the Clearing Account. Refunds payable pursuant to Sections 227, 501(b) and 518 herein may be paid from the Clearing Account upon checks or warrants issued by the Treasurer under the direction of the Commission. After clearance thereof, all of the moneys in the Clearing Account shall be immediately deposited with the Secretary of the Treasury of the United States of

America to the credit of the Account of this Territory in the Unemployment Trust Fund, established and maintained pursuant to Section 904 of the Social Security Act, as amended, any provision of law in this Territory relating to the deposit, administration, release, or disbursement of moneys in the possession or custody of this Territory to the contrary notwithstanding.

The Benefit Account shall consist of moneys requisitioned from this Territory's account in the Unemployment Trust Fund for the purpose of paying benefits. Except as herein otherwise provided, moneys in the Clearing and Benefit accounts may be deposited by the Treasurer, under the direction of the Commission, in any bank or public depository in which general funds of the Territory may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. Money in these accounts shall not be commingled with other Territorial funds, but shall be maintained in separate accounts on the books of the depository bank. Such money shall be secured by the depository law of this Territory; and collateral pledged for this purpose shall be kept separate and distinct from any collateral pledged to secure other funds of the Territory. The Treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the fund. All sums recovered for losses sustained by the fund shall be deposited therein.

Sec. 15. Sec. 404, Art. IV of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 404. Withdrawals. In ac-

cordance with regulations prescribed by the Commission, moneys shall be requisitioned from the Territory's account in the Unemployment Trust Fund solely for the payment of benefits and refunds.

(a) **Benefit Payments.** The Commission shall from time to time requisition from the Unemployment Trust Fund such amounts, not exceeding the amounts standing to this Territory's account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the Treasurer shall deposit such moneys in the Benefit Account and shall issue checks or warrants for the payment of benefits solely from such Benefit Account.

(b) **Refund Payments.** If, at any time, moneys in the Clearing Account are not sufficient to provide for refunds payable pursuant to Section 227, 501(b) and 518 herein, the Commission shall withdraw from the Unemployment Trust Fund such amounts, not exceeding the amount standing to this Territory's account herein, as are necessary for the payment of such refunds. Upon receipt thereof the Treasurer shall deposit such moneys in the Clearing Account and shall issue checks or warrants for the payment of such refunds from such account.

Expenditures of such moneys in the Benefit Account and refunds from the Clearing Account shall not be subject to any provisions of law requiring specific appropriations or other formal release by Territorial officers of money in their custody. All checks or war-

rants issued by the Treasurer for the payment of benefits and refunds shall bear the signature of the Treasurer and countersignature of the duly authorized agent of the Commission for that purpose. Any balance of moneys requisitioned from the Unemployment Trust Fund which remains unclaimed or unpaid in the Benefit Account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the Commission, shall be redeposited with the Secretary of the Treasury of the United States of America, to the credit of this Territory's account in the Unemployment Trust Fund, as provided in Section 402 herein.

Sec. 16. Sec. 501, Art. V of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 501. Payment of Contributions. (a) Contributions with respect to wages for employment shall accrue and become payable by each employer for each calendar year in which he is subject to this Act. Such contributions shall become due and be paid by each employer to the Commission for the fund in accordance with such regulations as the Commission may prescribe and contributions payable by the employer shall not be deducted in whole, or in part, from the wages of individuals in employment for such employers.

(b) Contributions with respect to wages paid on or after January 1, 1955 for employment shall accrue and become payable until such time as contributions shall

be terminated pursuant to Section 502 of this Article, by each individual who performs service in employment for each calendar year in which such services are subject to this Act.

The contributions required by each such individual, in accordance with regulations prescribed by the Commission, shall become payable, be deducted from his wages by his employer, and be held in trust by the employer for the Commission until such time as such employee contributions are required by regulation to be deposited with the Commission. Such funds shall not be subject to garnishment or attachment in any fashion, and in the event of lien, judgment or bankruptcy proceedings shall not be considered as assets of the employer. Any employer who shall fail to make such deductions from the wages of his employees shall himself be liable to the Commission for the payment of such required contributions, which shall be collected from him in the same manner as is provided for the collection of employer contributions.

If any employer shall convert to his own use or otherwise misappropriate any funds so held in trust, he shall be required to pay to the Commission for deposit in the Clearing Account the amount so converted or misappropriated, together with a penalty equal to five times that amount but not less than \$25.00. In addition, if such conversion or misappropriation is willfull, he shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$200.00, or imprisoned for not more than 60 days, or both.

Each employer shall maintain a record of the amount so deducted from the wages of each of his employees, and shall furnish a statement of such deductions to each employee at such times and in such manner as the Commission shall prescribe by regulation. No such deduction shall be made from those wages in excess of the first \$4,200.00 of wages paid to an employee during any calendar year. In the event that an employee earns wages totaling in excess of \$4,200.00 in one calendar year in the employ of two or more employers, or in the event that any one employer through error shall have made such deductions from his wages in excess of \$4,200.00 during any one calendar year, the amount of such deductions in excess of those required by this Act shall be refunded to the employee by the Commission upon application therefor in accordance with regulations prescribed by the Commission, provided, that such application is made during the calendar year immediately following the calendar year in which such deductions were made.

Sec. 17. Sec. 502, Art. V of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 502. Rate of Contributions. Each employer shall pay contributions equal to 2.7 percent of wages paid by him during the calendar year with respect to employment commencing January 1, 1955 except as otherwise provided in Section 503. Each individual performing services in employment for such employer, commencing January 1, 1957, shall pay contributions equal to one-half of one percent of wages paid to him during the calendar year

with respect to employment until July 1, 1961.

In the payment of any contributions a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

Sec. 18. Sec. 503, Art. V of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 503. Base of Contributions. For the purposes of Sections 501 and 502 of this Article and subsequent to December 31, 1956, wages shall not include that part of remuneration which after remuneration equal to \$4,200.00 has been paid in a calendar year to an individual by an employer or his predecessor with respect to employment during any calendar year is paid to such individual by such employer during such calendar year unless that part of the remuneration is subject to a tax under a Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State unemployment fund. For the purposes of this section, the term "employment" shall include service constituting employment under any employment security law of another State or of the Federal Government.

Sec. 19. Sec. 504, Art. V. of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 504. Records and Analysis of Experience With Unemployment Risk. For the last half of the calendar year 1955 and for each calendar year thereafter separate accounts shall be maintained for each employer and claimant to secure sufficient facts

and studies upon which future legislatures could determine whether an experience rating system should be adopted to require contributions from employers based upon their experience with unemployment risk and, if so, the most equitable system for accomplishing this purpose consistent with the solvency of the Unemployment Compensation Fund. The Commission is hereby directed to make and present to the 1959 session of the Legislature a formal documented study containing information and data necessary to assist the Legislature in determining if an experience rating system should be adopted, and if so, the most equitable system for Alaska.

Sec. 20. Sec. 515, Art. V of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 515. Notice of Assessment, Distraint, Seizure and Sale. At any time after the Commission shall find that any contribution, including interest or penalty thereon, has become delinquent, the Commission may issue a notice of assessment specifying the amount due, which notice of assessment shall be served on the delinquent employer by the marshal of the judicial division wherein service is made, or by his deputy, or by any duly authorized representative of the Commission; or by certified or registered mail, with return receipt requested. In the case of service by mail the notice must be deposited in the post office, addressed to the delinquent employer at his last known address and the postage paid. The service shall be deemed to be made on the day of delivery shown on the delivery receipt; however, in the

event it appears the addressee is deliberately avoiding service, then service shall be deemed to be made on the day of mailing. If the amount so assessed is not paid within thirty days after such personal service or mailing of said notice, the Commission or its duly authorized representative may collect the amount stated in the assessment by the distraint, seizure and sale of the property, goods, chattels and effects of said delinquent employer, except as is provided in Section 517 of this Act. There shall be exempt from distraint and sales under this section such goods and property as are exempt from execution under the laws of this Territory.

Sec. 21. Art. V of Ch. 5, ESLA 1955, is hereby amended to include the following:

Sec. 516.1. Notice and Order to Withhold and Deliver. The Commission, or its authorized representative, is hereby authorized to issue to any person, firm, corporation, political subdivision or department of the Territory, a notice and order to withhold and deliver property of any kind whatsoever when the Commission, or its authorized representative has reason to believe that there is in the possession of such person, firm, corporation, political subdivision or department, property which is due, owing, or belonging to any person, firm, or corporation upon whom a notice and order of assessment has, at least 30 days prior to issuance of said notice and order to withhold and deliver, been served by the Employment Security Commission of the Territory for unemployment compensation contributions, penalties, or interest.

The notice and order to with-

hold and deliver shall be served by the Marshal of the Judicial Division wherein the service is made, or by his deputy, or by any duly authorized representative of the Commission. Any person, firm, corporation, political subdivision or department upon whom service has been made is hereby required to answer the notice within ten days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice.

In the event there is in the possession of any such person, firm, corporation, political subdivision or department, any property, credits or money, which may be subject to the claim of the Employment Security Commission of the Territory, such property shall be delivered forthwith to the Commission or its duly authorized representative upon demand to be held in trust by the Commission for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or non-liability, or in the alternative, there shall be furnished a good and sufficient bond satisfactory to the Commission conditioned upon final determination of liability.

Should any person, firm or corporation fail to make answer to an order to withhold and deliver within the time prescribed herein, it shall be lawful for the District Court of the Judicial Division in which said order was served, after the time to answer such order has expired, to render judgment by default against such person, firm or corporation for the full amount claimed by the Commission in the notice to with-

hold and deliver, together with costs.

Sec. 22. Sec. 517, Art. V of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 517. Petition for Hearing and Summary Judgment. When any notice of assessment has been delivered or mailed to a delinquent employer, as heretofore provided, such employer may within thirty days thereafter file a petition in writing with the Commission, stating that such assessment is unjust or incorrect and requesting a hearing thereon. Such petition shall set forth the reasons why the assessment is objected to and the amount of contributions, if any, which said employer admits to be due the Commission. If no such petition is filed with the Commission within said thirty days, said assessment shall be prima facie just and correct; Provided, that in such cases the Commission may properly entertain a subsequent application for refund, and hearing thereon if denied, in accordance with Section 518 herein. The filing of a petition on a disputed assessment with the Commission shall stay the sale provided for in Section 516 herein until a final decision thereon shall have been made, but the filing of such petition shall not affect the right of the Commission to perfect a lien, as provided in Section 514 herein. After granting the petitioner reasonable opportunity for fair hearing, the Commission shall make a decision on the petition. The Commission's decision shall be final unless the petitioner initiates a proceeding for judicial review substantially in the manner provided by Section 809. Whenever

any order and notice of assessment shall have become final in accordance with the provisions of this Act, the District Court shall upon application of the Commission enter a judgment in the amount provided for in said order and notice of assessment and said judgment shall have and be given the same effect as if entered pursuant to civil action instituted in said Court.

Sec. 23. Art. V of Ch. 5, ESLA 1955, is hereby amended by adding a new section to read as follows:

Sec. 527. **Limitation of Actions and Uncollectible Accounts.** The Commission shall commence action for the collection of contributions (including interest and penalties), imposed by this act by assessment or suit within five years after a return is filed. No proceedings for the collection of such amounts shall be begun after the expiration of such period; Provided, however, that this provision shall not become effective until January 1, 1958. In case of a false or fraudulent return with intent to evade contributions, or in the event of a failure to file a return, the contributions may be assessed, or a proceeding in court for the collection of such contributions may be begun, at any time.

The Commission may charge off as uncollectible and no longer an asset of the unemployment compensation fund any delinquent contributions at any time after five years from the date of delinquency, if the Commission is satisfied that there are no available and lawful means by which such contributions may thereafter be collected.

Sec. 24. Sec. 603, Art. VI of Ch.

5, ESLA 1955, is hereby repealed.

Sec. 25. Sec. 712, Art. VII, Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 712. Amount of Benefits.

(a) Qualifying wages. To qualify for benefits an individual shall have earned wages in his base period totalling not less than one and one-fourth times the aggregate amount of wages earned by him in that calendar quarter of his base period in which he earned the highest amount of wages, and all his wages for such base period must equal not less than the minimum amount required for benefits under subsection (b), below.

(b) Weekly benefit amount. Except as provided in subsection (a), above, an individual's weekly benefit amount shall be the amount shown in the table below, in the applicable column opposite the amount of his total base period wages as shown in column A. Each individual who establishes a benefit year on or after May 1, 1957 shall be entitled to an augmented weekly benefit amount, as shown in the table below, if on the date he establishes his benefit year he has dependents who are in the Territory. The number of dependents shall be determined as of the date he establishes his benefit year, and shall be fixed for the duration of such benefit year. Each individual who has an unexpired benefit year on April 30, 1957 shall be entitled to an augmented weekly benefit amount as determined by the number of his dependents who are in the Territory as of April 30, 1957 and such augmented weekly benefit amount shall remain fixed for the balance of his benefit year.

| Total Base Period Wages | Basic Weekly Benefit Amount | Augmented weekly benefit amount with the following dependents | | | | | Benefit Duration Factor |
|-------------------------------|--------------------------------------|---|------|-------|------|------|-------------------------------|
| | | One | Two | Three | Four | Five | |
| Columns (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
| 0-499.99 | \$00 | \$00 | \$00 | \$00 | \$00 | \$00 | 00 |
| 500-599.99 | 10 | 15 | 20 | 20 | 20 | 20 | 15 |
| 600-699.99 | 11 | 16 | 21 | 22 | 22 | 22 | 16 |
| 700-799.99 | 12 | 17 | 22 | 24 | 24 | 24 | 17 |
| 800-899.99 | 13 | 18 | 23 | 26 | 26 | 26 | 18 |
| 900-999.99 | 14 | 19 | 24 | 28 | 28 | 28 | 19 |
| 1000-1099.99 | 15 | 20 | 25 | 30 | 30 | 30 | 20 |
| 1100-1199.99 | 16 | 21 | 26 | 31 | 32 | 32 | 21 |
| 1200-1299.99 | 17 | 22 | 27 | 32 | 34 | 34 | 22 |
| 1300-1399.99 | 18 | 23 | 28 | 33 | 36 | 36 | 23 |
| 1400-1499.99 | 19 | 24 | 29 | 34 | 38 | 38 | 24 |
| 1500-1599.99 | 20 | 25 | 30 | 35 | 40 | 40 | 25 |
| 1600-1699.99 | 21 | 26 | 31 | 36 | 41 | 42 | 26 |
| 1700-1799.99 | 22 | 27 | 32 | 37 | 42 | 44 | 26 |
| 1800-1899.99 | 23 | 28 | 33 | 38 | 43 | 46 | 26 |
| 1900-1999.99 | 24 | 29 | 34 | 39 | 44 | 48 | 26 |
| 2000-2099.99 | 25 | 30 | 35 | 40 | 45 | 50 | 26 |
| 2100-2199.99 | 26 | 31 | 36 | 41 | 46 | 51 | 26 |
| 2200-2299.99 | 27 | 32 | 37 | 42 | 47 | 52 | 26 |
| 2300-2399.99 | 28 | 33 | 38 | 43 | 48 | 53 | 26 |
| 2400-2499.99 | 29 | 34 | 39 | 44 | 49 | 54 | 26 |
| 2500-2599.99 | 30 | 35 | 40 | 45 | 50 | 55 | 26 |
| 2600-2699.99 | 31 | 36 | 41 | 46 | 51 | 56 | 26 |
| 2700-2799.99 | 32 | 37 | 42 | 47 | 52 | 57 | 26 |
| 2800-2899.99 | 33 | 38 | 43 | 48 | 53 | 58 | 26 |
| 2900-2999.99 | 34 | 39 | 44 | 49 | 54 | 59 | 26 |
| 3000-3099.99 | 35 | 40 | 45 | 50 | 55 | 60 | 26 |
| 3100-3199.99 | 36 | 41 | 46 | 51 | 56 | 61 | 26 |
| 3200-3299.99 | 37 | 42 | 47 | 52 | 57 | 62 | 26 |
| 3300-3399.99 | 38 | 43 | 48 | 53 | 58 | 63 | 26 |
| 3400-3499.99 | 39 | 44 | 49 | 54 | 59 | 64 | 26 |
| 3500-3599.99 | 40 | 45 | 50 | 55 | 60 | 65 | 26 |
| 3600-3699.99 | 41 | 46 | 51 | 56 | 61 | 66 | 26 |
| 3700-3799.99 | 42 | 47 | 52 | 57 | 62 | 67 | 26 |
| 3800-3899.99 | 43 | 48 | 53 | 58 | 63 | 68 | 26 |
| 3900-3999.99 | 44 | 49 | 54 | 59 | 64 | 69 | 26 |
| 4000-and over | 45 | 50 | 55 | 60 | 65 | 70 | 26 |

(c) Maximum potential benefits. The maximum potential benefits of any individual in a benefit year shall be the product of his weekly benefit amount, as shown in the applicable column B, C,

D, E, F, or G, multiplied by the benefit duration factor in column H of the above table on the line on which in Column A, there appears his total base period wages.

(d) Definition of dependent.

"Dependent" means an individual's unmarried child (including stepchild and legally adopted child) under 18 years of age, and who is principally supported by such individual; except that an individual's unmarried child (including stepchild and legally adopted child) who because of infirmity is prevented from engaging in a gainful occupation and who is principally dependent upon such individual for support, shall be deemed to be a dependent for the purpose of this provision regardless of age. For the duration of a benefit year no dependent who has been claimed by a claimant and allowed as such shall be included as a dependent with regard to any other claimant.

(e) Interstate Payment Restrictions. Notwithstanding the above subsections of this section, if an individual files a claim for benefits while outside of Alaska his benefits for such week shall be restricted as follows:

1. he shall not be paid an augmented weekly benefit amount.
2. he shall not be paid more than \$25.00, and
3. his maximum potential benefits shall be reduced by the amount he would have received if such claim had been filed within Alaska.

Sec. 26. Sec. 713, Art. VII of Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 713. Earnings Deducted From Weekly Benefit Amount. Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal

to his basic or augmented weekly benefit amount less that part of the remuneration, whether or not covered by this Act, payable to him with respect to such week which is in excess of ten dollars or one-half of his basic weekly benefit amount, whichever amount is greater. Such benefit, if not a multiple of one dollar, shall be computed to the next higher multiple of one dollar. The provisions of this section shall be applicable to all claims paid on and after July 1, 1957 excepting claims the payment of which has been delayed due to court action.

Sec. 27. Subsection (a) of Sec. 741, Art. VII, Ch. 5, ESLA 1955, as amended by Chapter 62, SLA 1957, is hereby amended to read as follows:

(a) He was not able to work or was not available for suitable work for such week. Provided (1) that no Alaskan resident shall be considered ineligible for receipt of unemployment benefits for any week because of failure to comply with the provisions of this subsection when such failure is caused by his non-commercial fishing and hunting necessary for the survival of himself and his dependents during an uninterrupted period of unemployment following a week for which he has filed a compensable claim, provided that no suitable work has been offered him for any part of said week.

Sec. 28. Subsection (j) of Sec. 741, Art. VII, Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 741 (i). For such week his unemployment was due to a stoppage of work then existing be-

cause of a labor dispute at the immediate factory, establishment, or other premises at which he is or was last employed, and for purposes of this section, each separate department of the same premises which is commonly conducted as a separate business in separate premises shall be deemed to be a separate factory, establishment or other premises; Provided, that this paragraph shall not apply if the Commission finds that:

(1) He was not participating in or directly interested in the labor dispute which caused the stoppage of work; and

(2) He did not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurred any of whom were participating in or directly interested in the dispute.

(3) The labor dispute is caused by the failure or refusal of an employer to conform to the provisions of an agreement or contract between employer and employee, or a law of the Territory of Alaska or of the United States pertaining to hours, wages or other conditions of work.

Wherever the designation "Sec. 741 (j)" appears, is used or otherwise referred to in Ch. 5, ESLA 1955, it shall be amended to read "Sec. 741 (i)".

Sec. 29. Subsection (k) of Sec. 741, Art. VII, Ch. 5, ESLA 1955, is hereby amended to read as follows:

(j) Within the twenty-four calendar months immediately preceding such week he has, with intent to defraud by obtaining any benefits not due under this Act, made a false statement or representation of a material fact knowing it to be false or knowingly failed to disclose a material fact, in which case he shall be disqualified for the week in which the Commission makes such determination and for the twenty-six weeks immediately following such week, and for the week or weeks with respect to which the false statement or representation was made.

Sec. 30. Sec. 1013 of Art. X, Ch. 5, ESLA 1955, is hereby amended to read as follows:

Sec. 1013. Studies to be Conducted. The Commission is directed to continue studies heretofore required by Section 1013, Ch. 5, ESLA 1955, and further to collect such data and to conduct such studies as will enable the next Legislature to establish qualifying requirements and provide a benefit formula which would eliminate inequities between claimants in different parts of the Territory and between claimants who have demonstrated their attachment to the labor force by a comparable number of weeks of employment during their base periods.

Sec. 31. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.