

S. P. No. 47 Amendments.

On Page 26, line 21, after the word "by", insert the word "substantial".

On Page 31, line 13, strike the phrase "Laraine County" and insert in lieu thereof the phrase "the county wherein such employer resides or has his principal place of business."

On Page 2, line 1, insert a space between the letter "n" and the figure "1" in the letters and figures "Chapter 113".

On Page 3, line 3, strike the comma after "employment".

On Page 13, line 4, add a letter "s" to the word "Section".

On Page 17, line 17, strike the comma after the word "locality" and insert a semicolon in lieu thereof.

On Page 19, line 19, insert a comma after the word "deputy".

On Page 20, line 12, insert a comma after the word "determination".

On Page 20, line 15, strike the "s" in the word "appeals".

On Page 23, line 13, strike the comma after the word "or".

On Page 42, line 11, strike the letters "privilege" and insert the word "privilege" in lieu thereof.

On Page 46, line 22, capitalize the "t" in "treasury".

On Page 51, line 14, strike the colon after the word "collected" and insert a semicolon in lieu thereof.

On Page 3, line 5, strike the phrase "persons unemployed through no fault of their own" and insert in lieu thereof the phrase "unemployed persons".

On Page 3, line 15, strike the word "in" and insert in lieu thereof the phrase "with respect to".

On Page 9, line 14, strike the phrase "benefit society" and insert the word "organization" in lieu thereof.

On Page 11, line 9, strike the phrase "has been paid" and insert the phrase "is payable" in lieu thereof.

On Page 11, line 10, strike the word "paid" and insert "payable" in lieu thereof.

On Page 11, line 12, Page 11, line 14, Page 12, line 6, and Page 12, line 9, strike the phrase "January 1, 1941" and insert the phrase "December 31, 1940" in lieu thereof.

On Page 19, line 11, strike the phrase "of such regulations" and insert the phrase "concerning benefit rights and the regulations provided for under sub-section B of this Section" in lieu thereof.

On Page 31, line 23, after the phrase "section 14" insert the phrase "and Section 2-1-VI-(d)".

On Page 52, line 4, after the word "account" strike the balance of line 4 and all of lines 5, 6, 7, and 8.

On Page 53, line 16, after the phrase "virtue of " insert the word "such" and after the word "representations" insert the phrase "or such failure to disclose a material fact".

Strike lines 23, 24, and 25 on Page 13, lines 1 through 25 on Page 14, and lines 1 through 5 on Page 15.

On Page 16, line 5, strike the Roman Numeral "III" and insert the Roman Numeral "IV" in lieu thereof.

On Page 16, line 14, strike the "comma", and insert a dash "-" in lieu thereof and strike the balance of line 14 and all of lines 15 and 16.

On Page 16, strike lines 21, 22, 23, and 24.

On Page 16, line 25, strike the Roman Numeral "III" and insert the Roman Numeral "II" in lieu thereof.

On Page 17, immediately after line 22, insert a new sub-division designated by the Roman Numeral "I" to read as follows:

"1. For the week in which he has been discharged for misconduct connected with his work, if so found by the Commission after an independent

investigation to ascertain the facts pertaining to the alleged misconduct and for not more than the 5 weeks which immediately follow such week, as determined by the Commission in each case according to the seriousness of the misconduct."

On Page 17, line 23, strike the Roman Numeral "I" and insert the Roman Numeral "II" in lieu thereof.

On Page 18, line 25, strike the Roman Numeral "III" and insert the Roman Numeral "IV" in lieu thereof.

On Page 19, line 5, strike the Roman Numeral "IV" and insert the Roman Numeral "V" in lieu thereof.

On Page 20, line 3, strike the Roman Numeral "I" and insert the Roman Numeral "II" in lieu thereof.

On Page 3, line 25, strike the capital letter "D" in "Division" and insert lower case "d" in lieu thereof.

On Page 8, line 19, capitalize the first letters of the words in the phrase "social security board".

On Page 4, line 22, capitalize the "c" in "com-mission".

On Page 8, line 22, capitalize the "c" in "clearing" and "a" in "account".

On Page 9, line 3, strike the word "of" and insert the word "or" in lieu thereof.

On Page 13, lines 10, 11, and 14, strike the "c" after the figures "50" and insert the sign "x" in lieu thereof.

On Page 17, line 21, after the word "from", insert the phrase "or refrain from".

On Page 24, line 3, strike the last letter "s" from the letters "cisions".

On Page 25, line 7, strike the letters "it" and insert the word "to" in lieu thereof.

On Page 25, line 12, strike the capital "S" in the word "Sub-section" and insert the lower case "s" in lieu thereof.

On Page 29, line 5, strike the letters "collectible" and insert the word "collectible" in lieu thereof.

On Page 31, line 3; Page 32, line 17; Page 32, line 23; Page 34, line 6; Page 42, line 2; Page 53, line 16; Page 54, line 10; Page 54, line 17, strike the letters "seperate" and insert the word "separate" in lieu thereof.

On Page 31, line 21, strike the letters "Sate" and insert in lieu thereof the word "State".

On Page 32, line 5, strike the letters "rel ase" and insert in lieu thereof the word "release".

On Page 32, line 20, capitalize the "u" in "unemployment".

On Page 32, line 24, strike the word "maybe" and insert the phrase "may be" in lieu thereof.

On Page 33, line 23, insert a space between the letters "A,B".

On Page 33, line 24, strike the letters "opertive" and insert the word "operative" in lieu thereof.

On Page 36, line 7, strike the word "an" and insert the word "and" in lieu thereof.

On Page 38, line 23, strike the letters "aggrieved " and insert the word "aggrieved" in lieu thereof

On Page 40, line 14, strike the word "or" and insert the word "of" in lieu thereof.

On Page 44, line 4, strike the word "right" and insert the word "rights" in lieu thereof.

On Page 46, line 24, capitalize the "s" in the word "such".

On Page 47, line 17, strike the letters "htis" and insert the word "this" in lieu thereof.

On Page 49, line 14, strike the letters "verified" and insert the word "verified" in lieu thereof.

On Page 49, line 12, strike the capital "I" in the word "Paragraph" and insert a lower case "i" in lieu thereof.

On Page 51, line 12, capitalize the "s" in the word "state".

On Page 52, line 4, capitalize the "c" in "clearing" and "a" in "account".

On Page 53, line 12, insert the word "by" before the word "imprisonment".

On Page 59, line 7; Page 60, line 23; Page 65, line 18; Page 67, line 6; Page 44, line 11; Page 53, line 6; italicize the first word "Section" in these lines.

On Page 64, line 19, italicize the word "Section".

On Page 6, of the printed Bill insert after line 9, a new subdivision VI be inserted to read as follows:

VI. For the purposes of Section 7, subsection C of this Act, the term "employer" means

(a) Any employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an "employing unit" within the meaning of this section prior to such acquisition), which intends to continue such organization, trade or business, and immediately notifies the Commission thereof. Such employing unit shall assume, for the purpose of determining the contribution rate of such employing unit after such acquisition, the position of such employer with respect to such employer's separate account, actual contribution, and benefit experience and annual payrolls, as if no change with respect to such separate account, actual experience and payrolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the Commission to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account,

as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to such separate account.

(b) The provisions of this division VI of this subsection shall apply only to those employing units in which more than fifty percentum of the control of the management of such employing unit is held immediately after such acquisition by the same person or persons who immediately prior to such acquisition held more than fifty percentum of the control of the management of such employer, and, if there be more than one person, then only if the respective holdings of such persons in the control of the management of such employing unit are substantially in the same proportion as their respective holdings in the control of the management of such employer were prior to such acquisition.

(i) In the case of a corporation the shareholders entitled to vote for the election of its directors shall be deemed to be the persons having control of the management.

(ii) In the case of an affiliated group of corporations, in which each corporation (other than the parent corporation) is connected directly or indirectly through voting stock ownership with such parent corporation, such corporation in which such parent corporation has the power directly, or in whole or in part indirectly through any other member corporation or corporations of such group, to elect a majority of the directors shall be deemed to be a member corporation of such group, and the control of the management of each such member corporation shall be deemed to be held, for the purposes of this section, by the shareholders entitled to vote for the election of the directors of such parent corporation.

(iii) In the case of a partnership the control of managements, for the purposes of this section, shall be deemed to be vested in the partner or partners owning in the aggregate a greater than fifty percentum interest in the partnership, except that if the partnership agreement provides that

any partner or partners shall have no control over or vote with respect to the carrying on of the business of the partnership in the usual way, the control of the management of that partnership shall be deemed to be vested in such of the other partners as own in the aggregate a greater than fifty per centum interest in the partnership computed after deducting from the whole ownership of the partnership the interest owned by the partner or partners having no control or vote.

(c) The provisions of this division VI of this subsection shall apply to acquisition prior, as well as subsequent, to the effective date of the Act adding this division, and any employing unit which acquired the trade, organization or business of any employer, or substantially all of the assets thereof, prior to said effective date shall notify the Commission thereof within sixty days after said effective date.

(d) If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision, to other persons or circumstances shall not be affected thereby."

On Page 18, line 14, strike the Roman Numeral "II" and insert the Roman Numeral "III" in lieu thereof.

Insert after the word "be" as it appears in line 12 on page 53 of the printed copy, in line 6 and in line 15 on page 54 of said copy, the words "guilty of a misdemeanor and"

After the phrase "This State", appearing in line 10, page 47, of the printed copy, insert the following:

" , acting through the Twenty-sixth Legislature and upon the understanding that its action is subject to the amendatory power of future legislatures", and by inserting at the end of the same subsection as appears in line 1, page 48 of said copy, the following: "This subsection is enacted with the expectation that the Congress of the United States will repeal, at an early date, the provisions of Paragraphs (8) and (9) subsection (a) of Section 303 of the Social Security Act as amended August 10, 1939".