

CHAPTER 341
FORMERLY
HOUSE BILL NO. 329

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT INSURANCE APPEAL BOARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3101, Title 19 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 3101. Composition; appointment; term; qualifications; vacancy.

(a) The Employment Security Commission of Delaware, renamed the Unemployment Insurance Appeal Board (hereinafter referred to as the "Board"), is continued. It shall consist of 5 members to be appointed by the Governor, each for a term of 6 years, ~~from the 1st day of May in the year of appointment.~~ 2 members shall reside in New Castle County, 1 of which shall reside in the City of Wilmington, 1 member shall reside in Kent County, 1 member shall reside in Sussex County and 1 member to serve in an at large position. Appointed members shall include, but not be limited to representatives from labor, the business community and the public.

(b) During the member's term of membership on the Board, no member shall serve as an officer or committee member of any political party organization and not more than 3 members of the Board shall be members of the same political party.

(c) Any vacancy in the Board occurring during a term shall be filled by appointment by the Governor for the unexpired portion of the term.

(d) Members of the Unemployment Insurance Appeal Board as of ~~December 31, 2004~~ June 30, 2012 shall serve out the remaining terms of their appointments as they existed prior to ~~December 31, 2004, commencing on July 7, 2005.~~ June 30, 2012 and in accordance with the provisions of the statute in existence at the time of their last appointment.

Section 2. Amend § 3102, Title 19 of the Delaware Code by making insertions as shown by underlining as follows:

§ 3102. Removal of members.

The Governor may at any time, after notice and hearing, remove any Board member for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office. For purposes of this subsection, any member who is absent without adequate reason for 3 consecutive meetings or fails to attend at least half of all regular business meetings during any calendar year shall be deemed to be in neglect of duty.

Section 3. Amend § 3105, Title 19 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 3105. Compensation of Chairperson and other Board members.

The Chairperson of the Board shall be paid ~~a salary of \$16,000 per year.~~ \$200 for each meeting attended, not to exceed 80 meetings per year. Each of the other members of the Board shall be paid ~~a salary of \$13,000 per year~~ \$150 for each meeting attended, not to exceed 80 meetings per year, and shall devote to the duties of their office such time as is necessary for the satisfactory execution thereof. The ~~salaries~~ compensation of the Chairperson and other Board members shall be paid from the Unemployment Compensation Administration Fund provided for in § 3164 of this title, and not from any funds appropriated by the General Assembly.

Approved July 18, 2012