

House Resolution 430

By: Representatives Scott of the 76th, Schofield of the 60th, Davis of the 87th, Burnough of the 77th, and McLeod of the 105th

A RESOLUTION

1 Urging the Governor to remove the Commissioner of Labor for neglect and dereliction of
2 duty evidenced by failing to pay valid unemployment claims in a timely manner; and for
3 other purposes.

4 WHEREAS, Code Section 34-8-76 of the Official Code of Georgia Annotated provides that
5 the Commissioner of Labor, with the advice and aid of the State Advisory Council and the
6 local or industry advisory councils, shall take all appropriate steps to reduce and prevent
7 unemployment; to encourage and assist in the adoption of practical methods of vocational
8 training, retraining, and vocational guidance; to investigate, recommend, advise, and assist
9 in the establishment and operation, by municipalities, counties, school districts, and the state,
10 of reserves for public works to be used in times of business depressions and unemployment;
11 to promote the reemployment of unemployed workers throughout the state in every other
12 way that may be feasible; and to these ends to carry on and publish in print or electronically
13 the results of investigations and research studies; and

14 WHEREAS, Code Section 34-8-72 of the Official Code of Georgia Annotated requires the
15 Commissioner of Labor to appoint a State Advisory Council to aid the Commissioner in
16 formulating policies and discussing problems related to employment security; and

17 WHEREAS, the Honorable Mark Butler, Commissioner of Labor, has failed to appoint or
18 to reinstate a State Advisory Council; and

19 WHEREAS, Mr. Butler has violated federal rules and regulations in failing to pay valid
20 unemployment claims in a timely manner; and

21 WHEREAS, Mr. Butler's dereliction of duties may jeopardize the State of Georgia's bond
22 rating due to his lack of completing financial data for the Department of Labor in a timely
23 manner; and

24 WHEREAS, pursuant to Code Section 34-2-3 of the Official Code of Georgia Annotated, the
25 Commissioner of Labor may be removed by the Governor for neglect of duty or malfeasance
26 in office, provided that written charges are served upon the Commissioner at least ten days
27 prior to a hearing thereon before the Governor and the constitutional officers of this state, and
28 provided, further, that a majority shall find that the Commissioner is guilty of the charges
29 preferred under such chapter, but for no other cause; and

30 WHEREAS, for the reasons outline above, Mr. Butler should be removed by the Governor
31 as the Commissioner of Labor.

32 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
33 this body urges the Governor to remove the Commissioner of Labor for neglect and
34 dereliction of duty evidenced by failing to pay valid unemployment claims in a timely
35 manner.