

1 H BILL NO. 458 *Rota*
 2 INTRODUCED BY *Degean Livingston Lisa Courcy*
 3 *Roberta Teague Johnson Manuel Ellison*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 87-103, R.C.M. 1947, ESTABLISHING THE MAXIMUM WEEKLY BENEFIT
 6 AMOUNT UNDER THE UNEMPLOYMENT COMPENSATION LAW AT 50% OF THE
 7 AVERAGE WEEKLY WAGE IN COVERED EMPLOYMENT."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 87-103, R.C.M. 1947, is amended to
 11 read as follows:

12 "87-103. Benefits. (a) Payment of benefits. Benefits
 13 are payable from the fund to any individual who is or
 14 becomes unemployed and eligible for benefits as is herein
 15 prescribed; provided, however, that wages earned for
 16 services performed as an employee representative as defined
 17 in the Railroad Unemployment Insurance Act (52 Stat. 1094),
 18 or for services performed for an employer, as defined in
 19 said act, shall not be included for the purposes of
 20 determining eligibility or weekly benefit amount under this
 21 act. All benefits shall be paid through public employment
 22 offices in the state of Montana, or other agencies
 23 designated by the division, in accordance with such rules
 24 and regulations as the division may prescribe.

25 (b) Weekly benefit amount. Any individual whose

1 benefit year begins on or after July 1, 1971, shall receive
 2 as his weekly benefit amount, an amount equal to one
 3 twenty-sixth (1/26) of his total wages for insured work paid
 4 during the calendar quarter of his base period in which his
 5 wages were highest. Such weekly benefit amount, if not a
 6 multiple of one dollar (\$1), shall be rounded to the nearest
 7 multiple of one dollar (\$1).

8 On or before May 31 of each year, the total wages paid
 9 by all employers as reported on contribution reports
 10 submitted on or before such date for the preceding calendar
 11 year shall be divided by the average monthly number of
 12 individuals employed during the same preceding calendar year
 13 as reported on such contribution reports. The amount thus
 14 obtained shall be divided by fifty-two (52) and the average
 15 weekly wage, rounded to the nearest cent, thus determined.
 16 Fifty percent (50%) of the average weekly wage shall
 17 constitute the maximum weekly benefit amount and shall apply
 18 to all maximum weekly benefit amount claims for benefits
 19 filed to establish a benefit year commencing on or after
 20 July 1 of the same year. Such maximum weekly benefit amount
 21 if not a multiple of one dollar (\$1), shall be computed to
 22 the nearest multiple of one dollar (\$1). ~~Beginning on July~~
 23 ~~1, 1975, the fifty percent (50%) of the average weekly wage~~
 24 ~~shall be raised to fifty-five percent (55%) and beginning~~
 25 ~~July 1, 1976, be raised to sixty per cent (60%) of the~~

HB 458

1 ~~average-weekly-wages~~

2 The minimum weekly benefit amount shall be twelve
3 dollars (\$12).

4 The division shall prepare and publish annually a
5 benefit schedule in accordance with the provisions of this
6 subsection.

7 (c) Qualifying wages. To qualify as an insured worker
8 an individual must have been paid wages for insured work in
9 the quarters of his base period, other than the quarter in
10 which his wages were highest, an amount totaling not less
11 than thirteen (13) times his weekly benefit amount.

12 (d) Wage record. The division shall maintain a record
13 of the wages paid to an individual in accordance with wages
14 earned by him for employment by employers during each
15 quarter.

16 (e) Benefits. All accrued benefits due and payable at
17 the time of death to any deceased claimant shall be paid to
18 the surviving spouse, or if there be no surviving spouse,
19 then to the surviving children, or if there be no surviving
20 children, then to the next of kin, without the necessity of
21 any recipient obtaining letters testamentary or of
22 administration."

-End-