

HOUSE BILL 426

IN THE HOUSE

January 27, 1979	Introduced and referred to Committee on Judiciary.
February 1, 1979	Committee recommend bill, do not pass.
February 2, 1979	Report adopted. Objection.
February 3, 1979	Printed and placed on members' desks.
February 5, 1979	Second reading, do not pass.

1 *HOUSE* BILL NO. *426*
 2 INTRODUCED BY *Thom Sully Wood*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 39-51-2104, MCA, TO MAKE A PERSON INELIGIBLE TO RECEIVE
 6 UNEMPLOYMENT COMPENSATION BENEFITS FOR 3 MONTHS FROM DATE OF
 7 UNEMPLOYMENT IF HIS GROSS INCOME IN THE PRECEDING THREE
 8 QUARTERS EXCEEDS \$20,000."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 39-51-2104, MCA, is amended to
 12 read:

13 "39-51-2104. General benefit eligibility conditions.
 14 An unemployed individual shall be eligible to receive
 15 benefits for any week of total unemployment within his
 16 benefit year only if the division finds that:

17 (1) he has registered for work at and thereafter has
 18 continued to report at an employment office in accordance
 19 with such regulation as the division may prescribe, except
 20 that the division may, by regulation, prescribe that such
 21 types of cases or situations with respect to which it finds
 22 that compliance with such requirements would be oppressive,
 23 or would be inconsistent with the purposes of this chapter,
 24 provide for registration and reporting for work by mail or
 25 through other governmental agencies;

1 (2) he has made a claim for benefits in accordance
 2 with the provisions of 39-51-2401;

3 (3) he is able to work and is available for work and
 4 is seeking work; provided, however, that no claimant shall
 5 be considered ineligible in any week of unemployment for
 6 failure to comply with the provisions of this subsection if
 7 such failure is due to an illness or disability which occurs
 8 after he has registered for work and no suitable work has
 9 been offered to such claimant after the beginning of such
 10 illness or disability;

11 (4) prior to any week for which he claims benefits he
 12 has been totally unemployed for a waiting period of 1 week.
 13 However, if claimant's benefit year expires during a period
 14 of compensable unemployment, claimant will continue to
 15 receive weekly benefits in a new benefit year, if otherwise
 16 eligible, without interruption to serve the waiting week for
 17 the new benefit year but will thereafter be required to
 18 serve the waiting week before receiving benefits during
 19 subsequent unemployment in the new benefit year. No week
 20 shall be counted as a week of total unemployment for the
 21 purposes of this subsection:

- 22 (a) if benefits have been paid with respect thereto;
- 23 (b) unless the individual was eligible for benefits
- 24 with respect thereto;
- 25 (c) unless it occurs within the benefit year of the

1 claimant;

2 (d) unless it occurs after benefits first could become
3 payable to any individual under this chapter.

4 (5) he has been unemployed for a period of 90
5 consecutive days or 90 cumulative days in any given 9-month
6 period if his gross income or his gross income combined with
7 the gross income of his spouse in the three quarters
8 preceding the date of unemployment exceeds \$20,000."

-End-

Committee
on Judiciary

Objection Raised to
Adverse Committee Report

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Thomas Patrick Sully Wood

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-End-