# HOUSE BILL NO. 301

## INTRODUCED BY HARPER

# BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

# IN THE HOUSE

कुल कर प्राप्त करण करण अपन	
January 18, 1983	Introduced and referred to Committee on Labor and Employment Relations.
January 25, 1983	Committee recommend bill do pass. Report adopted.
January 26, 1983	Bill printed and placed on members' desks.
January 27, 1983	Second reading, do pass.
January 28, 1983	Considered correctly engrossed.
January 29, 1983	Third reading, do pass.
IN THE S	ENATE
January 31, 1983	Introduced and referred to Committee on Labor and Employment Relations
March 15, 1983	Committee recommend bill be concurred in. Report adopted.
March 17, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in. Ayes, 50; Noes, 0.
IN THE H	OUSE
March 19, 1983	Returned to House.
March 21, 1983	Sent to enrolling.

Reported correctly enrolled.

1

10

11

12

13

14

15

16

17

16

19

20

21

22

23

INTRODUCED BY Happy 1

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

3

7

2

A BILL FOR AN ACT ENTITLED: "AN ACT TO COMPLY WITH FEDERAL REQUIREMENTS FOR DISQUALIFICATION FOR FAILING TO SEEK WORK AND TO PROVIDE FOR FEDERAL MINIMUM DISQUALIFICATIONS IN THE CASE OF EXTENDED BENEFITS: AMENDING SECTION 39-51-2508. MCA."

10 11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

Section 1. Section 39-51-2508: MCA: is amended to read:

\*39-51-2508. Eligibility requirements for extended benefits -- disqualifications -- acceptance of suitable work. (1) An individual shall be eligible to receive extended benefits with respect to any week of unemployment in this eligibility period only if the department finds that with respect to such week:

- (a) he is an exhaustee, as defined in 39-51-2501(6);
- (b) he is not disqualified for the receipt of regular benefits pursuant to part 23 of this chapter and, if he is requirements disqualified, he satisfies the requalification in that party-except-that-subsections-(1)y (2)y-and-(4)-of-39-51-2304-do-not-apply-to-this-section; and

(c) he has satisfied the other requirements of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits.

(2) In addition to the disqualifications provided for in subsection (1)(b), an individual is discualified for extended benefits if he fails without-good-couse-either to apply--for--available--and--suitable <u>seek</u> worky--to-accept suitable-work-offered-to-hims-ory-when-so--directed--by--the departmenty-to-return-to-his-customary-accupationy-if-any-Such disqualification continues for the week in which such failure occurs and until the individual has performed services, other than self-employment, for which remuneration is received equal to or in excess of his weekly benefit amount in 4 separate weeks subsequent to the date the act causing the disqualification occurredy--with---4---weeks\* reduction---in---benefit--durationy--as--defermined--by--the departments--provided-she-shes--not--left--this--work--under disquelifying-circumstances.

13) A regular benefit claffant who is disqualified for gross misconduct under 39-51-2303(2) may not be oaid extended benefits unless he has carned at least sight. fimes the weekly benefit amount after the date of such disqualification.

24 (4) A regular benefit claimant who voluntarily leaves work to attend school and oursuant to 39-51-2302131. 25

1 requalifies for regular benefits way not the paid extended benefits unless he has earned at least six times the weekly 3 benefit amount.

2

5

7

(3)[9] For the purposes of subsection-(2) determining aligibility for extended benefits, the department shall, by rule, define the term "suitable work". Such definition shall be in accordance with the definition required by the Omnibus Reconciliation Act of 1980, P.L. 96-499, and as may be amended after March 19, 1981."

~End~

Approved by Committee on Labor & Employment Relations

1	House BILL NO. 301
2	INTRODUCED BY
3	RY RECHEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

. .

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

A BILL FOR AN ACT ENTITLED: "AN ACT TO COMPLY WITH FEDERAL REQUIREMENTS FOR DISQUALIFICATION FOR FAILING TO SEEK WORK AND TO PROVIDE FOR FEDERAL MINIMUM DISQUALIFICATIONS IN THE CASE OF EXTENDED BENEFITS: AMENDING SECTION 39-51-2508. MCA.

10

11

12

13

14

15

16

17

18

19

20 21

22

23

24

25

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

Section 1. Section 39-51-2508, MCA, is amended to read:

\*39-51-2508. Eligibility requirements for extended benefits -- disqualifications -- acceptance of suitable work. (1) An individual shall be eligible to receive extended benefits with respect to any week of unemployment in this eligibility period only if the department finds that with respect to such week:

- (a) he is an exhaustee, as defined in 39-51-2501(6);
- (b) he is not disqualified for the receipt of regular benefits pursuant to part 23 of this chapter and, if he is disqualified, he satisfies the requirements regualification in that party-except-that-subsections-fly (2)y-and-(4)-of-39-51-2304-do-not-apply-to-this-section; and

(c) he has satisfied the other requirements of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits.

(2) In addition to the disqualifications provided for in subsection (1)(b), an individual is disqualified for extended benefits if he falls without-good-cause--either to apply--for--available--and--suitable seek worky--to-occume suftable-work-offered-to-hims-ors-when-so-directed-by-the departmenty--to--return-to-kis-customery-eccupationy-if-any. Such disqualification continues for the week in which such failure occurs and until the individual has performed services, other than self-employment, for which remuneration is received equal to or in excess of his weekly benefit amount in 4 separate weeks subsequent to the date the act 14 causing the disqualification occurredy--with---4---weeks\* reduction---in---benefit--durationy--as--determined--by--the departments--provided-she-she-sheft--this-swork--under disqualifying-circumstances.

19 (3) A regular benefit claffeint who is disqualified for 20 gross misconduct under 39-51-2303/21 may not be paid 21 extended benefits unless be has earned at least sight fimes 22 the weekly benefit amount after the date of such

disqualification. 23

1

7

10

11

12

13

15

16

17

18

141 A regular benefit claimant who voluntarily leaves 24 25 work to attend school and oursuant to 39-51-230213).

requalifies for regular benefits wax not the paid extended benefits unless be has earned at least six times the weekly benefit amount.

1

2

3

7

†37121 For the purposes of subsection-(2) determined eligibility for extended henefits, the department shall, by rule, define the term "suitable work". Such definition shall be in accordance with the definition required by the Omnibus Reconciliation Act of 1980, Pal. 96-499, and as may be amended after Narch 19, 1981."

~End-

### STATE OF MONTANA

REQUEST NO. 156-83

#### FISCAL NOTE

Form BD-15

ln	n compliance with a wi	ritten request received	January 22,	9 83 , there is hereby	submitted a Fiscal Note
for	or <u>House Bill 3</u>	01 pursuant to	Title 5, Chapter 4, Par	t 2 of the Montana Code A	Annotated (MCA).
Ba	Background information u	used in developing this Fiscal	Note is available from th	e Office of Budget and Pro	gram Planning, to members
of	of the Legislature upon r	equest.			

### DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 301 removes the four-week reduction in benefits for extended benefit claimants disqualified for failing to seek and accept available work.

### ASSUMPTIONS:

- Assume 144 EB claimants disqualified per year for a 13-week EB period in FY 84 & FY 85.
- 2) Assume 12.2% of EB claimants disqualified -- requalify for benefits and have a 4-week reduction in benefits under law. Proposed law would eliminate 4-week reduction.
- 3) Assume average weekly benefit amounts of: FY 84 = \$138 FY 85 = \$151
- 4) Assume state trust fund cost of extended benefits equals 100% of 1st week payments and 50% of subsequent payments.
- 5) Assume EB triggers on for a 13-week period in FY 84 and again in FY 85.
- 6) 18 claimants requalify for benefits.

#### FISCAL IMPACT:

Additional expenditures for extended benefits from UI Trust Fund in FY 84 = \$6,210 and FY 85 = \$6,795.

FISCAL NOTE 7:W/1

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-23-X

1	The state of the s
2	INTRODUCED BY
3	BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO COMPLY WITH FEDERAL

REQUIREMENTS FOR DISQUALIFICATION FOR FAILING TO SEEK WORK
AND TO PROVIDE FOR FEDERAL MINIMUM DISQUALIFICATIONS IN THE
CASE OF EXTENDED BENEFITS: AMENDING SECTION 39-51-2508,
HCA.\*

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

Section 1. Section 39-51-2508, NCA, is amended to read:

\*39-51-2508. Eligibility requirements for extended benefits - disqualifications - acceptance of suitable work. (1) An individual shall be eligible to receive extended benefits with respect to any week of unemployment in this eligibility period only if the department finds that with respect to such week:

- (a) he is an exhaustee, as defined in 39-51-2501(6);
- (b) he is not disqualified for the receipt of regular benefits pursuant to part 23 of this chapter and, if he is disqualified, he satisfies the requirements for requalification in that party-except-thet-subscations (1) (2) and (4) of 39-32-234-30-not-apply-to-this-section; and

1 (c) he has satisfied the other requirements of this
2 chapter for the receipt of regular benefits that are
3 applicable to individuals claiming extended benefits.

4 (2) In addition to the disqualifications provided for 5 in subsection (1)(b), an individual is disqualified for extended benefits if he fails without good course eigher to apply for available and suitable that worky to occur suffest a work offered to how ore when so directed by the departmenty-to-yeturn-to-HIS-customery-accepations-if-any. 10 Such disqualification continues for the week in which such 11 failure occurs and until the individual has performed 12 services, other than self-employment, for which remuneration is received equal to or in excess of his weekly benefit agount in 4 separate weeks subsequent to the date the act " **14** 15 16 reduction---in--benefit--durations--ba-waterained--by--the 17 departments - provided har fina not a left - tiple - work - unc 18 disquelifying electroces.

137 % register benefit classical was is disqualified for gross atsendent under 39-51-2303(2) way find the paid extended benefits unless be has earned at least electric fines the weekly benefit amount fafter the date of such disqualification.

~ 19

20

21

22

23

24

25

141 A regular beceffs claiment who voluntarily leaves

requalifies for recolar benefits may not the paid testended benefits unless be becaused at least six times descreekly benefits about

. 1

3

5

efigibility: for the purposes of subsection (2) detections efigibility: for extended handfirs, the department shall, by rule, define the term "suitable work". Such definition shall be in accordance with the definition required by the Omnibus Ruconciliation Act of 1980, "Pal. 96-499, and as may be amended after March 19, 1981."

-End-

25

1	HOUSE BILL NO. 301
2	INTRODUCED BY HARPER
2	
3	BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO COMPLY WITH FEDERAL
6	REQUIREMENTS FOR DISQUALIFICATION FOR FAILING TO SEEK WORK
7	AND TO PROVIDE FOR FEDERAL MINIMUM DISQUALIFICATIONS IN THE
8	CASE OF EXTENDED BENEFITS; AMENDING SECTION 39-51-2508
9	MCA.P
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 39-51-2508, MCA, is amended to
13	read:
14	#39-51-2508. Eligibility requirements for extended
15	benefits disqualifications acceptance of suitable
16	work. (1) An individual shall be eligible to receive
17	extended benefits with respect to any week of unemployment
18	in this eligibility period only if the department finds that
19	with respect to such week:
20	(a) he is an exhaustee, as defined in 39-51-2501(6);
21	(b) he is not disqualified for the receipt of regular
22	benefits pursuant to part 23 of this chapter and, if he is
23	disqualified, he satisfies the requirements for
24	requalification in that party-except-that-subsections-(1)
	·

t2jy-and-t4j-of-39-51-2384-do-not-apply-te-this-section; and

1	(c) he has satisfied the other requirements of this
2	chapter for the receipt of regular benefits that are
3	applicable to individuals claiming extended benefits.
4	(2) In addition to the disqualifications provided for
5	in subsection (1)(b), an individual is disqualified for
6	extended benefits if he fails without-good-causeeither to
7	applyforavailableandswitable <u>seek</u> workyto-accept
8	suitable-work-offered-to-himy-ory-when-sodirectedbythe
9	departmentytoreturn-to-his-customary-occupationy-if-any.
10	Such disqualification continues for the week in which such
11	failure occurs and until the individual has performed
12	services, other than self-employment, for which remuneration
13	is received equal to or in excess of his weekly benefit
14	amount in 4 separate weeks subsequent to the date the act
15	causing the disqualification occurred <del>ywith1weeks*</del>
16	reductioninbenefitduration
17	departmentyprovidedhehesnotleftthisworkunder
18	disqualifying-circumstances.
19	(3)_A_regular_benefit_claimant_who is disqualified_for
20	gross_misconduct_under_39-51-2303(2)_may_not_be_paid
21	extended benefits unless be has earned at least eight times
22	the weekly benefit amount after the date of such
23	disqualification.
24	<pre>(41_A_regular_benefit_claimant_who_xoluntarily_leaves</pre>
25	work to attend school and pursuant to 39-51-2302(3).

1 requalifies for regular benefits may not be paid extended
2 benefits unless be has earned at least six times the weekly
3 benefit amount.

t3)(5) For the purposes of subsection-(2) determining eligibility for extended benefits, the department shall, by rule, define the term "Suitable work". Such definition shall be in accordance with the definition required by the Ognibus Reconciliation Act of 1980, P.L. 96-499, and as may be amended after March 19, 1981."

-End-

-3-