INTRODUCED SY FULTER, HARPRR

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

IN THE SENATE

| January 6, 1983 | Introduced and reterred to Cormittae on Labor and Employment Relations. |
| :---: | :---: |
| January 18, 1983 | Comulttee recommend bill do pass. Report adopted. |
| January 19, 1983 | Bill printed and placed on members' desks. |
| Januaxy 20, 1983 | Rereferred to Comaittee on Labor and Employment Relations. |
| Tanuary 28, 1983 | Comindtee recommend bill do pass as amended. Report adoptad. |
| January 29, 1983 | B111 printed and placed on members' desks. |
| January 31, 1983 | Second reading, do pass. |
| February 1, 1983 | Correctly engroesmed. |
| February 2, 1983 | Third reading, passed. Ayes, 4B; Noes. 2. Transmitted to House. |
|  | IN TRE HOUSE |
| Fobruaxy 3, 1983 | Introduced and referred to Comaittea on Labor and Employment Relations. |
| March 1, 1983 | Committee recomend bill be concurred in as amended. Report adopted. |


| March 3, 1983 | Second reading, concurred in an amended. |
| :---: | :---: |
| March 5, 1983 | Third reading, concurred in. |
| IH THE SENATE |  |
| March 5, 1983 | Returned to Senate with amendments. |
| March 7, 1983 | Second reading, mendments not concurred in. |
|  | On motion, conference Comittee requested. |
| March 8, 1983 | Conference Comittee appointed. |
| March 29, 1983 | Conference Committee dissolved. |
|  | On motion, Frea Conferance Committae requested and appointed. |
| Apri1 6, 1983 | Free Confarence Comittea reported. |
| April 7, 1983 | Second reading, adopted. |
| April 8, 1983 | Third reading, adopted. Ayes, 46; Noes, 0. |
|  | Adopted by Rouse. |
| April 9, 1983 | Sont to enrolling. |
|  | Reported correctly enrolled. |


12) A penalty of s25 or 25\% of the contributions duan whichever Is greaters: shall be assessed whenever the departnent apolies for a subpoena to obtain wage information or makes a sumpary or jengardy assessiment pursurnt to 32-51-13022
tzif31 Interest and penalties collected pursuant to this section shall be paid into the unemployment insurance trust fund.
t $3+141$ When failure to pay contributions on time mas not caused by willful intent of the employer, the department may abate the penalty and interest."

MEH SECIION. Section 2. Effective date. This act is effective July 1, 1983.

Approved by Committee on Labor \& Employment Relations
Approved by Comilte
on Labor \& Employmen
Relations

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12) A penaltx of 525 or 25\% of the contrimutions duat michayer is greateaca shall he assesced whenever the departnent apolief for a subpoama torntain iageinformation or make a sutcricy or jeppardy assessment purfunt to 32-51-1302
teli3i Interest and penalities collected pursuant to this section shall be paid into the unemployment insurance trust fund.
t3+141 When failure to pay contributions on time was not coused by willful intent of the employer, the departaent may abate the penalty and interest."
HEN SECILDA, Section 2. Effective date. This act is effective July 1. 1983.
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Rereferred to Comm. on Labor \& Emp. relations

SENATE BILL NO. 69
INTRODUCED BY FULEER, HARPER
gY REGUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
a bill for an act entitled: man act to increase the penalty AND INTEREST FOR LATE PAYMENTS DF UNEMPLOYMENT Contributions; and to provide a penalty for failure to file A REPORT OK RETURN: AMENDING SECTION 39-51-1301, MCA; ANO PROVIDING AN EFFECTIVE DATE."
be it enacted by the legistature of the state of montana:
Section 1. Section 39-51-1301, MCA, is amended to read:
m39-51-1301. Penalty and interest on past-due contributions: (1) Contributions unpaia on the date on which they are due and payable, as provided by subsections (1) and (2) of 39-51-1103 and 39-51-1125, that_are_p3id_within_20 daxs_after the_due date shall be subject to a penalty assessment of $\$ 10$ or $10 \%$ of the contribution due, whichever is greaterve and If the contributions_are_not paid_uithin 20 days_after_the due_datee the emplozer_shall_be_subject_te_a penalty__assessment_of s15_or_152_of_the_coatcibutions_duee whichexer-is oreatera_All past=due_contributions shall bear
 assessed at the rate_of elsk_a_day.
(2) A_penalty of $i 25$ of-25\%-af-the-enntributionat=drex Hicheyer=-tz=-greatery shall_be_assessed_whenexere_AS_IHE BESULI_OE_A_MLLEEU_BEEUSAL OE AN_EMPLOYER_IO_EUBNISH_HAGE INEORHAIION_OR PAY_CONIBLBUIIONS ON_IIBE the_depactment applifa-fer LSSUES a_subpoena_tomobtaia_sage_information_or makes__a__sumary_or_jeopardy_assessment_pursuant_to 32-51-1302e
tzi(3) Interest and penalties collected pursuant to this section shall be paid into the unemployment insurance trust fund.
+3+14) Hhen failure to pay contributions on time was not caused by willful intent of the employer, the department may abate the penalty and interest."

NEH SECIIOM. Section $Z$. Effective date. This act is effective July 1, 1983.

HOUSE LABOR AND EMPLOYMENT RELATIONS COMMITTEE
AMENDMENTS TO SB 69 THIRD READING COPY (BLUE)
March 1, 1983

1) Page 1, line 25

Strike: "assessed at the rate of . $05 \%$ a day"
Insert: "prorated on a daily basis"
2) Page 2, line 2

Following: "greater;"
Insert: "or up to 25\% of the contributions due, whichever is greater,"

AND AS AMENDED
BE CONCURRED IN

[^0] whichever==iativerentery shall. be_assessad_mbagere_AS_IHE RESULIOE A_MULFUL_REEUSAL_DE_AN_EHRLOYER_IO_EURMTSH_MAGE
 applites=for LSSUES A subporna tonhtain_mage_loformation or akes_a sqmary or jeopardy assessment_pursurant_tn 32-51-13028
f+43) Interest and penalties collected pursuant to this section shall be poid into the unemployment insurance trust fund.
(3+14) Hhen fallure to pay contributions on tima was not caused by wiliful intent of the employer, the department may abate the penalty and interest."

NEMSECILOM Section 2. Effective date. This act is effective July is 1983.

## -End-

(Report No. 1, April 4, 1983)
April 4.
1983
MR. PRESIDENT AND SPEAKER OF THE HOUSE:
We, your Free Conference Committee on Senate Bill No. 69, met April 4, 1983, and considered;

House Labor and Employment Relations Committee Amendments to the third reading copy, dated March 1, 1983;

House Committee of the Whole Amendments to the third reading copy, dated March 3, 1983; and recommend as follows:

That the Senate accede to House Labor and Employment Relations Committee amendment no. 1, dated March 1, 1983;

That the Senate accede to Committee of the Whole amendments nos. 1 and 2, dated March 3, 1983;

That the House recede from Committee of the Whole amendments nos. 3 and 4, dated March 3, 1983;

That Senate Bill No. 69 be further amended as specified in CLERICAL INSTRUCTIONS nos. 1 and 2;

That the reference copy of Senate Bill No. 69 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Free Conference Committee Report to Senate Bill No. 69 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 2, line 4.

Strike: "WHENEVER"
Insert: "A penalty of $\$ 40$ shall be assessed whenever"
2. Page 2, line 9 .

Following: "39-51-1302"
Strike: remainder of line 9 through "COSTS" on line 10

FOR THE SENATE:


FOR THE HOUSE:


Driscoll, Chairman

SENATE BILL NO. 69
INTRODUCED BY FULLER, HARPER
gy Request of the department of labor and industry
a bill for an act entitled: man act to increase the penalty AMD INTEREST FOR LATE PAYMENTS OF UNEMPLOYMENT CONTRIBUTIONS: AND TO PROVIDE A PENALTY FOR FATLURE TO FILE A REPORT OR RETURN; AMENOING SECTION 39-51-1301, MCA: AND provioing an effective dates" be it enacted by the legislature of the state of montana:
Section l. Section 39-51-1301, MCA, is amended to read:
m9-51-1301. Penalty and interest on past-due contributionse (1) Contributions unpaid on the date on which they are due and payable, as provided by subsections (1) and (2) of 39-51-1103 and 39-51-1125, that_are_oaid_withio_20 daxs_after the_due__date shall be subject to a penalty assessaent of $\$ 10$ or $10 \%$ of the contribution due, whichever is greaterpa and If_tbe_coatributiods_are_not_paid_mithin 20 daxs_after_the_due_dates_the_emplexec_sball_be_subject_to_a peaalty__assessient_of_sl5_or_15\%_of_tbe_sontributions_dues yhicherer_is_graateca_All_past-due_contcibutions shall bear interest at the rate of t\% 183 per-month a_kearemone


Basis.


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 IQ_IHE EHRLOYER_COMMENSUBAIE_ULIH_THE_DERARIMENX:S_COSIS.
fiff3人 Interest and penalties collected pursuant to this section shall be paid into the unemployment insurance trust fund.
f3+44 when failure to pay contributions on time was not caused by willful intent of the employer, the department may abate the penalty and interest."

NEH-SECILQA: Section 2. Effective date. This act is effective July 1. 1983.
SENATE BILL NO. 69
INTRODUCED BY FULLER, HARPER

BASIS.


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tef131 Interest and penalties collected pursuant to this section shall be paid into the unemplayment insurance trust fund.
f9flk2 When fallure to pay contributions on time was not caused by willful intent of the employer, the department may abate the penalty and interest."

NEH_SECTIONe Section 2. Effective date. This act is effective July $1,1983$.

## -End-

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HOUSE OF REPRESENTATIVES
    March 3, }198
Committee of the Whole Amendments to
Senate Bill 69, Third Reading Copy, blue
1. Strike: amendment (2) of the House Labor and Employment Relations
    Committee Amendments to SB 69, Third reading copy (blue) March 1, 1983.
2. Page 2, line 1.
Strike: "a penalty of $25"
3. Page 2, line 2.
Strike: "shall be assessed whenever"
Insert: "Whenever"
4. Page 2, line 7.
Following: "39-51-1302"
Insert: " , the department shall assess a charge to the employer
    commensurate with the department's costs"
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ADOPIED


[^0]:    SENATE BILL NO. 69
    INTROOUCED BY FULLER, HARPER
    gy request of the department df labor ano industry
    a bill fok an act entitled: man act to increase the penality AND IMTEREST FOR LATE PAYMENTS OF LNEMPLOYNENT CONTRIBUTIONS: AND TO PROVIDE A PENALTY fOR failure to file A REPORT OR RETURN: AHENDING SECTION 39-51-1301, MCA; AND PROYIDING AN EFFECTIVE DATE**
    be it enacted by the legislature of the state of montana:
    Section 1. Section 39-51-1301, MCA, is amended to read:
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