

SENATE BILL NO. 215

Introduced: 01/19/83

Referred to Committee on Labor & Employment Relations:  
01/19/83

Hearing: 2/1/83

Report: 02/10/83, Do Pass

2nd Reading: 02/14/83

3rd Reading: 02/17/83

Transmitted to House: 02/17/83

Referred to Committee on Labor & Employment Relations:  
03/01/83

Hearing: 3/8/83

Report: 03/17/83, Be Concurred In

2nd Reading: 03/21/83, Be Not Concurred In  
Bill Killed.

1 *Senate* BILL NO. *215*  
2 INTRODUCED BY *Don* *Rep. Kesting*  
3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A 1-WEEK  
6 WAITING PERIOD BETWEEN UNEMPLOYMENT COMPENSATION BENEFIT  
7 YEARS WHEN THE CLAIMANT IS IN A COMPENSABLE STATUS AT THE  
8 END OF HIS OLD BENEFIT YEAR AND AT THE BEGINNING OF HIS NEW  
9 BENEFIT YEAR; AMENDING SECTION 39-51-2104, MCA; AND  
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
11

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

13 Section 1. Section 39-51-2104, MCA, is amended to  
14 read:

15 "39-51-2104. General benefit eligibility conditions.  
16 An unemployed individual is eligible to receive benefits for  
17 any week of total unemployment within his benefit year only  
18 if the department finds that:

19 (1) he has registered for work at and thereafter has  
20 continued to report at an employment office in accordance  
21 with such regulation as the department may prescribe, except  
22 that the department may, by regulation, prescribe that in  
23 cases in which it finds such requirements oppressive or  
24 inconsistent with the purposes of this chapter, an  
25 unemployed individual may register and report for work by

1 mail or through other governmental agencies;

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

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

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

23 (a) if benefits have been paid with respect thereto;

24 (b) unless the individual was eligible for benefits  
25 with respect thereto;

INTRODUCED BILL

1       (c) unless it occurs within the benefit year of the  
2 claimant;

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

5       ~~NEW SECTION.~~ Section 2. Effective date. This act is  
6 effective on passage and approval.

-End-

## STATE OF MONTANA

REQUEST NO. 180-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 20, , 19 83 , there is hereby submitted a Fiscal Note for Senate Bill 215 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 215 provides a one-week waiting period between benefit years where an unemployment insurance claimant is in a compensable status at the end of his old benefit year and at the beginning of his new benefit year.

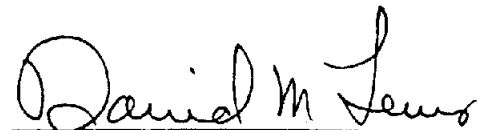
ASSUMPTIONS:

- 1) Total extended benefit (E.B.) payments for FY 84 = 35,000 and FY 85 = 32,000.
- 2) Number of E. B. first benefit payments for FY 84 = 6,500 and FY 85 = 6,000.
- 3) Average weekly benefit amount for FY 84-\$138 and FY 85-\$150.
- 4) Extended benefit program expected to be triggered at 13 weeks each year.

REVENUE IMPACT:

State Share of EB:	FY84	FY85	TOTAL
Current Law	\$2,863,500	\$2,850,000	\$5,713,500
Proposed Law	\$2,415,000	\$2,400,000	\$4,815,000
Decrease in Cost to trust fund	(\$ 448,500)	(\$ 450,000)	(\$ 898,500)

FISCAL NOTE 6:M/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-25-83

Approved by Committee  
on Labor & Employment  
Relations

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21 with such regulation as the department may prescribe, except  
22 that the department may, by regulation, prescribe that in  
23 cases in which it finds such requirements oppressive or  
24 inconsistent with the purposes of this chapter, an  
25 unemployed individual may register and report for work by

1 mail or through other governmental agencies;

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

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

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

23 (a) if benefits have been paid with respect thereto;

24 (b) unless the individual was eligible for benefits  
25 with respect thereto;

1       (c) unless it occurs within the benefit year of the  
2 claimant;

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

5       ~~NEW SECTION.~~ Section 2. Effective date. This act is  
6 effective on passage and approval.

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