

SENATE BILL NO. 70

1/07 Introduced  
1/07 Referred to Labor & Employment Relations  
1/08 Fiscal Note Requested  
1/14 Fiscal Note Received  
1/15 Hearing  
1/18 Adverse Committee Report  
1/18 Bill Killed

1                    SENATE BILL NO. 70  
 2    INTRODUCED BY AKLESTAD  
 3

4    A BILL FOR AN ACT ENTITLED: "AN ACT TO REDUCE THE NUMBER OF  
 5    WEEKS OF UNEMPLOYMENT REQUIRED TO REDUCE THE PREVAILING WAGE  
 6    CRITERION FOR UNEMPLOYMENT BENEFITS; AMENDING SECTION  
 7    39-51-2304; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
 8

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

10          Section 1. Section 39-51-2304, MCA, is amended to  
 11    read:

12          "39-51-2304. Disqualification for failure to apply for  
 13    or to accept suitable work. (1) Effective April 1, 1977, an  
 14    individual is disqualified for benefits if he fails without  
 15    good cause either to apply for available and suitable work  
 16    when so directed by the employment office or the department  
 17    or to accept suitable work offered to him which he is  
 18    physically able and mentally qualified to perform or to  
 19    return to his customary self-employment, if any, when so  
 20    directed by the department. Such disqualification continues  
 21    for the week in which such failure occurs and until the  
 22    individual has performed services, other than  
 23    self-employment, for which remuneration is received equal to  
 24    or in excess of his weekly benefit amount in 6 separate  
 25    weeks subsequent to the date the act causing the

1    disqualification occurred, with 6 weeks' reduction in  
 2    benefit duration, as determined by the department, provided  
 3    he has not left this work under disqualifying circumstances.

4            (2) In determining whether or not any work is suitable  
 5    for an individual, the department shall consider the degree  
 6    of risk involved to his health, safety, and morals, his  
 7    physical fitness and prior training, his experience and  
 8    previous earnings, his length of unemployment and prospects  
 9    for securing local work in his customary occupation, and the  
 10    distance of the available work from his residence.

11           (3) Notwithstanding any other provisions of this  
 12    chapter, no work may be considered suitable and benefits may  
 13    not be denied under this chapter to any otherwise eligible  
 14    individual for refusing to accept new work under any of the  
 15    following conditions:

16           (a) if the position offered is vacant due directly to  
 17    a strike, lockout, or other labor dispute;

18           (b) if the wages, hours, or other conditions of the  
 19    work offered are substantially less favorable to the  
 20    individual than those prevailing for similar work in the  
 21    locality;

22           (c) if, as a condition of being employed, the  
 23    individual would be required to join a company union or to  
 24    resign from or refrain from joining any bona fide labor  
 25    organization.



1           (4) During the first ~~13~~ 10 weeks of unemployment,  
2 suitable work is work that meets the criteria in this  
3 section and that offers wages equal to the prevailing wage  
4 for that area in the individual's customary occupation.  
5 After ~~13~~ 10 weeks of unemployment, suitable work is work  
6 that meets the criteria in this section and that offers 75%  
7 of the prevailing wage."

8           NEW SECTION. Section 2. Effective date. This act is  
9 effective on passage and approval.

-End-

STATE OF MONTANA  
FISCAL NOTE

REQUEST NO. FNN 033-85

Form BD-15

In compliance with a written request received January 8, 19 85, there is hereby submitted a Fiscal Note for S.B. 70 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:

An Act To Reduce The Number Of Weeks Of Unemployment Required To Reduce The Prevailing Wage Criterion For Unemployment Benefits.

ASSUMPTIONS:

- (1) There is a lack of supporting data concerning this portion of the law. The following assumptions are only used as a form of methodology to arrive at an estimate of the difference between the current and proposed law.
- (2) The Average Weekly Benefit Amount (AWBA) is estimated at \$134 in 1986 and \$142 in 1987.
- (3) An additional 45 claimants will be disqualified under the new proposal.
- (4) There will be an average of 3 weeks benefit savings for the additional 45 claimants.
- (5) Gross Benefits have previously been estimated by the Department of Labor to be \$67,000,000 for 1986 and \$73,000,000 for 1987.

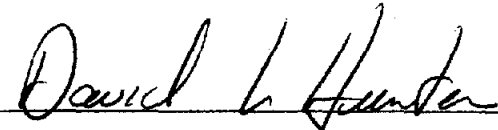
FISCAL IMPACT:

Effect on benefits and claims expenditures.

	FY 1986	FY 1987
Current Law	\$ 67,000,000	\$ 73,000,000
Proposed Law	66,982,000	72,981,000
Estimated Decrease	\$ (18,000)	\$ (19,000)

LONG RANGE EFFECTS:

None.



BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: JAN 12, 1985