#### HOUSE BILL NO. 249

# INTRODUCED BY GLASER, DRISCOLL

## BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

## IN THE HOUSE

| JANUARY 17, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON LABOR.                        |
|------------------|---|
| JANUARY 18, 1989 | FIRST READING.  |
| JANUARY 25, 1989 | COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.                     |
| JANUARY 26, 1989 | PRINTING REPORT.  |
| JANUARY 28, 1989 | SECOND READING, DO PASS.  |
| JANUARY 30, 1989 | ENGROSSING REPORT.  |
| JANUARY 31, 1989 | THIRD READING, PASSED. AYES, 96; NOES, 0.                             |
|                  | TRANSMITTED TO SENATE.  |
| IN               | THE SENATE  |
| FEBRUARY 2, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON LABOR & EMPLOYMENT RELATIONS. |
|                  | FIRST READING.  |
| MARCH 10, 1989   | COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.             |
| MARCH 11, 1989   | SECOND READING, CONCURRED IN.   |
| MARCH 14, 1989   | THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.                       |
|                  | RETURNED TO HOUSE.  |

#### IN THE HOUSE

MARCH 15, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

2 INTRODUCED BY

Maye BILL NO. 249

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE
6 UNEMPLOYMENT INSURANCE TAX CONTRIBUTION APPEALS PROCESS;
7 AMENDING SECTION 39-51-1109, MCA; AND PROVIDING AN
8 APPLICABILITY DATE."

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

11 **Section 1.** Section 39-51-1109, MCA, is amended to 12 read:

\*39-51-1109. Tax appeals. Any-person-aggrieved-by--any

A decision, determination, or redetermination of the department involving contribution liability, contribution rate, application for refund, employment status, or the charging of benefit payments to employers making payment in lieu of contributions may--appeal--to-an-appeals-refereer Such-decision; determination; or -redetermination is final unless an interested party entitled to notice thereof applies for a-review-within-10-days-after--notification--was mailed--to--the-last-known-address; provided-that-the-period may-be-extended-for-good--cause an appeal to an appeals referee. The appeal must be made in the same manner as provided in 39-51-2402 for the appeal of a decision relating

to a claim for unemployment insurance benefits. Statutory

LC 0392/01

2 rules of evidence and civil procedure do not apply to

3 hearings in the appeal. The decision of the appeals referee

and any appeal therefrom must be made in the same manner as

5 prescribed in 39-51-2403 and-39-51-2404 through 39-51-2410."

6 NEW SECTION. Section 2. Extension of authority. Any

7 existing authority to make rules on the subject of the

provisions of [this act] is extended to the provisions of

9 [this act].

NEW SECTION. Section 3. Applicability. [This act]
applies to any decision, determination, or redetermination

of the department of labor and industry on or after October

13 1, 1989, involving contribution liability, contribution

14 rate, application for refund, employment status, or the

15 charging of benefit payments to employers making payment in

16 lieu of contributions.

-End-



LC 0392/01

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APPROVED BY COMMITTEE ON LABOR & EMPLOYMENT RELATIONS

House, BILL NO. 249 1 INTRODUCED BY 2 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY 3 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE UNEMPLOYMENT INSURANCE TAX CONTRIBUTION APPEALS PROCESS: 7 AMENDING SECTION 39-51-1109. MCA: AND PROVIDING B APPLICABILITY DATE." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 39-51-1109, MCA, is amended to 11 12 read: \*39-51-1109. Tax appeals. Any-person-aggrieved-by--any 13 determination, or redetermination of the 14 decision. department involving contribution liability, contribution 15 rate, application for refund, employment status, or the 16 17 charging of benefit payments to employers making payment in lieu of contributions may--appeal--to-an-appeals-referee-18 Such-decision; -determination; -or -- redetermination is final 19 20 unless an interested party entitled to notice thereof 21 applies for a-review-within-10-days-after--notification--was 22 mailed--to--the-last-known-address;-provided-that-the-period may-be-extended-for-good--cause an appeal to an appeals 23 24 referee. The appeal must be made in the same manner as

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to a claim for unemployment insurance benefits. Statutory

-End-

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| 2  | INTRODUCED BY Me Slow Smill  |
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| 3  | BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY                             |
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| 15 | department involving contribution liability, contribution                      |
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House BILL NO. 249

rules of evidence and civil procedure do not apply to 2 hearings in the appeal. The decision of the appeals referee and any appeal therefrom must be made in the same manner as prescribed in 39-51-2403 and-39-51-2404 through 39-51-2410." 5 NEW SECTION. Section 2. Extension of authority. Any 6 existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of 9 [this act]. 10 NEW SECTION. Section 3. Applicability. {This applies to any decision, determination, or redetermination 11 12 of the department of labor and industry on or after October 13 1, 1989, involving contribution liability, contribution rate, application for refund, employment status, or the 14 15 charging of benefit payments to employers making payment in

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-End-

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| 2          | rules of evidence and civil procedure do not apply to       |
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| 4          | and any appeal therefrom must be made in the same manner as |
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| 6          | NEW SECTION. Section 2. Extension of authority. Any         |
| 7          | existing authority to make rules on the subject of the      |
| 8          | provisions of [this act] is extended to the provisions of   |
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| 16         | lieu of contributions.                                      |

-End-