

SENATE BILL NO. 33

INTRODUCED BY DOHERTY, RYAN, GALVIN

IN THE SENATE

DECEMBER 22, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON LABOR & EMPLOYMENT RELATIONS.
JANUARY 4, 1993	FIRST READING.
JANUARY 11, 1993	ON MOTION, ADDITIONAL SPONSORS ADDED.
JANUARY 20, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 21, 1993	PRINTING REPORT. SECOND READING, DO PASS.
JANUARY 22, 1993	ENGROSSING REPORT. THIRD READING, PASSED. AYES, 47; NOES, 1. TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LABOR & EMPLOYMENT RELATIONS. FIRST READING.
FEBRUARY 13, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. POSTED ON CONSENT CALENDAR.
FEBRUARY 15, 1993	CONSENT CALENDAR, QUESTIONS AND ANSWERS.
FEBRUARY 17, 1993	THIRD READING, CONCURRED IN. AYES, 97; NOES, 3.
FEBRUARY 18, 1993	RETURNED TO SENATE.

IN THE SENATE

FEBRUARY 18, 1993	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

SENATE BILL NO. 33

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR NO CHARGE TO THE EXPERIENCE RATING ACCOUNT OF AN EMPLOYER FOR UNEMPLOYMENT COMPENSATION BENEFITS PAID TO CLAIMANTS WHEN THE EMPLOYER IS ORDERED TO STATE OR FEDERAL ACTIVE DUTY IN THE NATIONAL GUARD OR RESERVES; AMENDING SECTION 39-51-1214, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

Section 1. Section 39-51-1214, MCA, is amended to read:

"39-51-1214. Benefit payments chargeable to employer experience rating accounts. (1) Except for cost reimbursement, benefits paid ~~shall~~ must be charged to the account of each of the claimant's base period employers. The benefit charged must be based on the percentage of wages paid by the employer as compared to the total wages paid by all employers in the claimant's base period.

(2) No A charge ~~shall~~ may not be made to the account of such a covered employer with respect to benefits paid under the following situations:

(a) if paid to a worker who terminated ~~his~~ services voluntarily without good cause attributable to such a

covered employer or who had been discharged for misconduct in connection with such services;

(b) if paid in accordance with the extended benefit program triggered by either national or state indicators;

(c) if the base period employer continues to provide employment with no reduction in hours or wages; or

(d) if benefits are paid to claimants who are in training approved under 39-51-2307; or

(e) if the base period employer is self-employed and is ordered to state or federal active duty in the national guard or reserves."

NEW SECTION. Section 2. Effective date -- retroactive applicability. (1) [This act] is effective on passage and approval.

(2) [Section 1] applies retroactively, within the meaning of 1-2-109, to benefit claims filed on or after August 2, 1990.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0033, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

This bill provides that there will be no charge to the experience rating account of an employer for unemployment compensation benefits paid to claimants when the employer is ordered to state or federal active duty in the national guard or reserves and provides a retroactive applicability date to August 2, 1990.

ASSUMPTIONS:

1. There will be no appreciable impact on the unemployment insurance fund as a result of this bill.

FISCAL IMPACT: Insignificant.

David M Lewis 1-7-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Steve Doherty 1/5/93
STEVE DOHERTY, PRIMARY SPONSOR DATE

Fiscal Note for SB0033, as introduced

SB 33

APPROVED BY COMM. ON
BUSINESS & INDUSTRY

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