

HOUSE CS FOR SENATE BILL NO. 222(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/1/00

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to standard industrial classification for, eligibility for benefits
2 under, and the definition of 'benefit year' for the Alaska Employment Security
3 Act; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 23.20.110(n) is amended to read:

6 (n) The department may produce statistical and other public reports based on
7 information obtained in the course of administering this chapter, so long as the reports
8 do not reveal wage and payroll data for an employing unit or the name or number
9 identifying an individual. The reports may include the firm name, address, North
10 American Industry Classification System [STANDARD INDUSTRIAL
11 CLASSIFICATION] code, census area code, number of workers employed, and
12 occupational staffing patterns for an employing unit.

13 * **Sec. 2.** AS 23.20.170(b) is amended to read:

14 (b) An employer who is not entitled to a rate determination under

AS 23.20.280 - 23.20.310 because the employer is ineligible under AS 23.20.281 shall pay contributions at a rate equal to the average industry tax rate as determined by the commissioner. Assignment by the commissioner of employers to industrial classification, for the purposes of this subsection, shall be to the industry group code specified in the most current version of the North American Industry Classification System, United States [TWO-DIGIT MAJOR GROUP PROVIDED IN THE STANDARD INDUSTRIAL CLASSIFICATION CODE], in accordance with established classification practices found in the most current version of the North American Industry Classification System manual prepared by the United States Office of Management and Budget ["STANDARD INDUSTRIAL CLASSIFICATION MANUAL" ISSUED BY THE UNITED STATES DEPARTMENT OF LABOR].

* **Sec. 3.** AS 23.20.379(a) is amended to read:

(a) An insured worker is disqualified for waiting-week credit or benefits for the first week in which the insured worker is unemployed and for the next five weeks of unemployment following that week if the insured worker

(1) left the insured worker's last suitable work voluntarily without good cause; or

(2) was discharged for misconduct connected with the insured worker's last work.

* **Sec. 4.** AS 23.20.379 is amended by adding a new subsection to read:

(f) In this section,

(1) "alcohol" has the meaning given in AS 23.10.699;

(2) "drugs" has the meaning given in AS 23.10.699;

(3) "misconduct" includes conduct in violation of an employer's policy concerning the use of drugs or alcohol, but only if the policy is consistent with AS 23.10.620.

* **Sec. 5.** AS 23.20.382(d) is amended to read:

(d) An otherwise eligible individual may not be denied benefits or waiting-week credit for any week because the individual is in any training approved under P.L. 105-220 (Workforce Investment Act of 1998) [29 U.S.C. 1651 - 1658,

AS AMENDED BY P.L. 100-418,] and, while attending the training, is not available for work, fails to seek work, or refuses work.

* **Sec. 6.** AS 23.20.520(5) is repealed and reenacted to read:

(5) "benefit year" means a period of 52 consecutive weeks beginning at 12:00 a.m. of the Sunday preceding the day that an insured worker first files a request for determination of the worker's insured status, and, thereafter, the period of 52 consecutive weeks beginning at 12:00 a.m. of the Sunday preceding the day that the insured worker next files the request after the end of the worker's last preceding benefit year; however, for a worker covered by this paragraph, "benefit year" also means a period of 53 weeks if the filing of a request for determination would result in overlapping any quarter of the base year of a previously filed request for determination; the filing of a notice of unemployment is considered a request for determination of insured status if a current benefit year has not previously been established;

* **Sec. 7.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TRANSITION PROVISION. Notwithstanding the change to the definition of "benefit year" enacted by sec. 6 of this Act, for an insured worker who, on October 6, 2001, has an established current benefit year, the definition of "benefit year" as it existed in AS 23.20.520(5) on October 6, 2001, applies to that worker's claim under AS 23.20 until that worker's current benefit year is completed. If an insured worker's current benefit year under this section ends on a day other than Sunday, the current benefit year is extended until 11:59 p.m. of the Saturday following that ending week.

* **Sec. 8.** Sections 1 - 5 of this Act take effect July 1, 2000.

* **Sec. 9.** Sections 6 and 7 of this Act take effect October 7, 2001.