



# LAWS OF ALASKA

1993

**Source**  
CSSB 162(FIN)

**Chapter No.**  
28

## AN ACT

Relating to the implementation of the federal emergency unemployment compensation program; making changes relating to unemployment compensation under the extended benefits program and the supplemental state benefits program; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** May 26, 1993

**Actual Effective Date:** Sections 8 and 11 take effect May 27, 1993; section 8 is retroactive to March 7, 1993. Sections 1, 2, and 4 - 7 take effect July 1, 1993; section 3 takes effect October 3, 1993; section 9 is conditional; section 10 takes effect January 1, 1995.

AN ACT

1 Relating to the implementation of the federal emergency unemployment compensation  
2 program; making changes relating to unemployment compensation under the extended benefits  
3 program and the supplemental state benefits program; and providing for an effective date.

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5 \* **Section 1.** AS 23.20 is amended by adding a new section to read:

6 Sec. 23.20.081. EMERGENCY UNEMPLOYMENT COMPENSATION  
7 PROGRAM. The department may take the steps necessary to implement the  
8 emergency unemployment compensation program in 26 U.S.C. 3304. An individual's  
9 eligibility for benefits payable under the emergency unemployment compensation  
10 program is determined by the provisions of AS 23.20.406.

11 \* **Sec. 2.** AS 23.20.353 is amended by adding a new subsection to read:

12 (c) In addition to the provisions of (b) of this section, supplemental state  
13 benefits remain available to an eligible individual for the same period, and under the

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1 same conditions as the emergency unemployment compensation program under  
2 AS 23.20.081 and 26 U.S.C. 3304, during a period in which there is a state "off"  
3 indicator in place under AS 23.20.408(g)(2).

4 \* Sec. 3. AS 23.20.406(l) is amended to read:

5 (l) Notwithstanding (a) and (b) of this section, an individual is not eligible for  
6 extended benefits unless, in the base period determined with respect to the individual's  
7 applicable benefit year, the individual has been paid, for employment covered by this  
8 chapter, total wages that equal or exceed

9 (1) 40 times the weekly benefit amount, including any allowance for  
10 dependents, which is payable to the individual during the individual's applicable  
11 benefit year; or

12 (2) 1.5 times the individual's wages during the calendar quarter of  
13 the base period in which the individual's wages were the highest.

14 \* Sec. 4. AS 23.20.407 is amended by adding a new subsection to read:

15 (d) During a high unemployment period, as described in AS 23.20.408(i), the  
16 total extended benefit amount payable to an eligible individual with respect to the  
17 individual's applicable benefit year equals the lowest amount calculated under the  
18 following:

19 (1) 80 percent of the total amount of regular benefits, including  
20 dependents' allowances, that were payable to the individual under this chapter in the  
21 individual's applicable benefit year;

22 (2) 20 times the weekly benefit amount, including dependents'  
23 allowances, that was payable to the individual under this chapter for a week of total  
24 unemployment in the applicable benefit year; or

25 (3) 46 times the weekly benefit amount, including dependents'  
26 allowances, that was payable to the individual under this chapter for a week of total  
27 unemployment in the applicable benefit year, reduced by the total amount of regular  
28 benefits that were paid or considered by the department to be paid to the individual  
29 under this chapter with respect to the benefit year.

30 \* Sec. 5. AS 23.20.408(f) is repealed and reenacted to read:

31 (f) Except as provided in (g)(2) of this section, there is a state "on" indicator

1 for a week if the

2 (1) rate of insured unemployment under this chapter for the period  
3 consisting of that week and the immediately preceding 12 weeks either equaled or  
4 exceeded

5 (A) 120 percent of the average rate of insured unemployment  
6 for the corresponding 13-week period in each of the preceding two calendar  
7 years and equaled or exceeded five percent; or

8 (B) six percent, without regard to the rate of insured  
9 unemployment in the two previous years; or

10 (2) average rate of seasonally adjusted total unemployment, as  
11 determined by the United States Secretary of Labor, for the period consisting of the  
12 most recent three months for which data for all states are published before the end of  
13 that week equals or exceeds

14 (A) 6.5 percent; and

15 (B) 110 percent of that average for either or both of the  
16 corresponding three-month periods ending in the two preceding calendar years.

17 \* Sec. 6. AS 23.20.408(g) is repealed and reenacted to read:

18 (g) There is a state "off" indicator for a week if,

19 (1) for the period consisting of that week and the immediately  
20 preceding 12 weeks, there was not an "on" indicator under (f) of this section; or

21 (2) notwithstanding (f) of this section, in that week the state is  
22 otherwise eligible to participate in the emergency unemployment compensation  
23 program in 26 U.S.C. 3304, but the department must trigger "off" to enable the state  
24 to participate in that program.

25 \* Sec. 7. AS 23.20.408 is amended by adding a new subsection to read:

26 (i) The state is in a high unemployment period if the circumstances set out in  
27 (f)(2) of this section are present, but the average rate of seasonally adjusted total  
28 unemployment equals or exceeds eight percent.

29 \* Sec. 8. TEMPORARY SUSPENSION OF INELIGIBILITY CRITERIA FOR  
30 EXTENDED BENEFITS. For the period March 7, 1993, through December 31, 1994, the  
31 provisions of AS 23.20.406(c) - (h) and (k) regarding ineligibility for extended benefits are

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- 1 suspended for those weeks of an individual's unemployment during that period.
- 2 \* **Sec. 9.** AS 23.20.081 and 23.20.353(c) are repealed.
- 3 \* **Sec. 10.** Section 8 of this Act is repealed.
- 4 \* **Sec. 11.** Section 8 of this Act is retroactive to March 7, 1993.
- 5 \* **Sec. 12.** Sections 8 and 11 of this Act take effect immediately under AS 01.10.070(c).
- 6 \* **Sec. 13.** Sections 1, 2, and 4 - 7 of this Act take effect July 1, 1993.
- 7 \* **Sec. 14.** Section 3 of this Act takes effect October 3, 1993.
- 8 \* **Sec. 15.** Section 9 of this Act takes effect on the date that the federal Emergency
- 9 Unemployment Compensation Program expires. The commissioner of labor shall certify
- 10 timely to the revisor of statutes the date upon which the program expires.
- 11 \* **Sec. 16.** Section 10 of this Act takes effect January 1, 1995.