

SENATE BILL NO. 136

IN THE LEGISLATURE OF THE STATE OF ALASKA
 TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR ELLIS

Introduced: 3/8/05

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the calculation and payment of unemployment compensation**
 2 **benefits; and providing for an effective date."**

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

4 *** Section 1.** AS 23.20.350(d) is amended to read:

5 (d) An individual who is eligible under (a) of this section is entitled to receive
 6 the weekly benefit amount set out in column (B) of the table in this subsection that is
 7 opposite the amount set out in column (A) of the individual's base period wages
 8 determined under (c) of this section:

	(A)		(B)
	Base Period Wages		Weekly Benefit Amount
	At least	But less than	
13	0	1,000	\$ 0
14	1,000	1,250	44

1	1,250	1,500	46
2	1,500	1,750	48
3	1,750	2,000	50
4	2,000	2,250	52
5	2,250	2,500	54
6	2,500	2,750	56
7	2,750	3,000	58
8	3,000	3,250	60
9	3,250	3,500	62
10	3,500	3,750	64
11	3,750	4,000	66
12	4,000	4,250	68
13	4,250	4,500	70
14	4,500	4,750	72
15	4,750	5,000	74
16	5,000	5,250	76
17	5,250	5,500	78
18	5,500	5,750	80
19	5,750	6,000	82
20	6,000	6,250	84
21	6,250	6,500	86
22	6,500	6,750	88
23	6,750	7,000	90
24	7,000	7,250	92
25	7,250	7,500	94
26	7,500	7,750	96
27	7,750	8,000	98
28	8,000	8,250	100
29	8,250	8,500	102
30	8,500	8,750	104
31	8,750	9,000	106

1	9,000	9,250	108
2	9,250	9,500	110
3	9,500	9,750	112
4	9,750	10,000	114
5	10,000	10,250	116
6	10,250	10,500	118
7	10,500	10,750	120
8	10,750	11,000	122
9	11,000	11,250	124
10	11,250	11,500	126
11	11,500	11,750	128
12	11,750	12,000	130
13	12,000	12,250	132
14	12,250	12,500	134
15	12,500	12,750	136
16	12,750	13,000	138
17	13,000	13,250	140
18	13,250	13,500	142
19	13,500	13,750	144
20	13,750	14,000	146
21	14,000	14,250	148
22	14,250	14,500	150
23	14,500	14,750	152
24	14,750	15,000	154
25	15,000	15,250	156
26	15,250	15,500	158
27	15,500	15,750	160
28	15,750	16,000	162
29	16,000	16,250	164
30	16,250	16,500	166
31	16,500	16,750	168

1	16,750	17,000	170
2	17,000	17,250	172
3	17,250	17,500	174
4	17,500	17,750	176
5	17,750	18,000	178
6	18,000	18,250	180
7	18,250	18,500	182
8	18,500	18,750	184
9	18,750	19,000	186
10	19,000	19,250	188
11	19,250	19,500	190
12	19,500	19,750	192
13	19,750	20,000	194
14	20,000	20,250	196
15	20,250	20,500	198
16	20,500	20,750	200
17	20,750	21,000	202
18	21,000	21,250	204
19	21,250	21,500	206
20	21,500	21,750	208
21	21,750	22,000	210
22	22,000	22,250	212
23	22,250	22,500	214
24	22,500	22,750	216
25	22,750	23,000	218
26	23,000	23,250	220
27	23,250	23,500	222
28	23,500	23,750	224
29	23,750	24,000	226
30	24,000	24,250	228
31	24,250	24,500	230

1	24,500	24,750	232
2	24,750	25,000	234
3	25,000	25,250	236
4	25,250	25,500	238
5	25,500	25,750	240
6	25,750	26,000	242
7	26,000	26,250	244
8	26,250	26,500	246
9	26,500	26,750	248
10	26,750	<u>27,000</u>	<u>250</u>
11	<u>27,000</u>	<u>27,250</u>	<u>252</u>
12	<u>27,250</u>	<u>27,500</u>	<u>254</u>
13	<u>27,500</u>	<u>27,750</u>	<u>256</u>
14	<u>27,750</u>	<u>28,000</u>	<u>258</u>
15	<u>28,000</u>	<u>28,250</u>	<u>260</u>
16	<u>28,250</u>	<u>28,500</u>	<u>262</u>
17	<u>28,500</u>	<u>28,750</u>	<u>264</u>
18	<u>28,750</u>	<u>29,000</u>	<u>266</u>
19	<u>29,000</u>	<u>29,250</u>	<u>268</u>
20	<u>29,250</u>	<u>29,500</u>	<u>270</u>
21	<u>29,500</u>	<u>29,750</u>	<u>272</u>
22	<u>29,750</u>	<u>30,000</u>	<u>274</u>
23	<u>30,000</u>	<u>30,250</u>	<u>276</u>
24	<u>30,250</u>	<u>30,500</u>	<u>278</u>
25	<u>30,500</u>	<u>30,750</u>	<u>280</u>
26	<u>30,750</u>	<u>31,000</u>	<u>282</u>
27	<u>31,000</u>	<u>31,250</u>	<u>284</u>
28	<u>31,250</u>	<u>31,500</u>	<u>286</u>
29	<u>31,500</u>	<u>31,750</u>	<u>288</u>
30	<u>31,750</u>	<u>32,000</u>	<u>290</u>
31	<u>32,000</u>	<u>32,250</u>	<u>292</u>

1	<u>32,250</u>	<u>32,500</u>	<u>294</u>
2	<u>32,500</u>	<u>32,750</u>	<u>296</u>
3	<u>32,750</u>	<u>33,000</u>	<u>298</u>
4	<u>33,000</u>	<u>33,250</u>	<u>300</u>
5	<u>33,250</u>	<u>33,500</u>	<u>302</u>
6	<u>33,500</u>	<u>33,750</u>	<u>304</u>
7	<u>33,750</u>	<u>34,000</u>	<u>306</u>
8	<u>34,000</u>	<u>34,250</u>	<u>308</u>
9	<u>34,250</u>	<u>34,500</u>	<u>310</u>
10	<u>34,500</u>	<u>34,750</u>	<u>312</u>
11	<u>34,750</u>	<u>35,000</u>	<u>314</u>
12	<u>35,000</u>	<u>35,250</u>	<u>316</u>
13	<u>35,250</u>	<u>35,500</u>	<u>318</u>
14	<u>35,500</u>	<u>35,750</u>	<u>320</u>
15	<u>35,750</u>	<u>36,000</u>	<u>322</u>
16	<u>36,000</u>	<u>36,250</u>	<u>324</u>
17	<u>36,250</u>	<u>36,500</u>	<u>326</u>
18	<u>36,500</u>	<u>36,750</u>	<u>328</u>
19	<u>36,750</u>	<u>37,000</u>	<u>330</u>
20	<u>37,000</u>	<u>37,250</u>	<u>332</u>
21	<u>37,250</u>	<u>37,500</u>	<u>334</u>
22	<u>37,500</u>	<u>37,750</u>	<u>336</u>
23	<u>37,750</u>		<u>336</u> [248].

* **Sec. 2.** AS 23.20.350(e) is amended to read:

(e) An individual who is eligible under (d) **or (h)** of this section is entitled to receive a weekly benefit under this chapter for the number of weeks set out in column (B) of the table in this subsection opposite the applicable earnings ratio of the individual set out in column (A):

	(A)	(B)
	Earnings Ratio	Number of Weeks
	less than 1.50	16

1	1.50-1.99	18
2	2.00-2.49	20
3	2.50-2.99	22
4	3.00-3.49	24
5	3.50 or more	26.

6 * **Sec. 3.** AS 23.20.350 is amended by adding new subsections to read:

7 (h) Notwithstanding (d) of this section, for a benefit year beginning on or after
 8 January 1, 2007, an individual who is eligible under (a) of this section is entitled to
 9 receive the weekly benefit amount calculated in accordance with this subsection and
 10 set under (i) of this section if the individual's base period wages determined under (c)
 11 of this section are at least \$38,000. The department shall adopt regulations to establish
 12 a methodology to calculate new amounts that increase the highest weekly benefit
 13 amount shown in (d) of this section by \$2 increments and the highest base period
 14 wages amount shown in (d) of this section by \$250 increments if the average weekly
 15 wage in this state, as calculated under (k) of this section, has increased by an
 16 increment amount established by the department in the regulations. The methodology
 17 established under this subsection may not result in new weekly benefit amounts that
 18 exceed 50 percent replacement of the average weekly wages in this state as determined
 19 under (k) of this section. By December 1 of each year, the department shall apply the
 20 methodology established under this subsection to calculate any new weekly benefit
 21 and base period wages amounts.

22 (i) By December 1 of each year, the department shall give notice of any
 23 proposed new weekly benefit amounts calculated under (h) of this section by posting
 24 notice on the Alaska Online Public Notice System (AS 44.62.175), furnishing notice
 25 to interested persons who have requested notification, and providing a press release to
 26 the media. In the notice, the department shall provide the public with an opportunity
 27 to comment on the accuracy of the department's calculations. Fifteen days after
 28 posting the notice on the Alaska Online Public Notice System, the department shall set
 29 the new weekly benefit amounts. A new weekly benefit amount set under this
 30 subsection applies January 1 of the following calendar year, but does not apply to an
 31 individual whose current benefit year began before that date. The department may set

1 new weekly benefit amounts under this subsection only once each calendar year,
 2 beginning in December 2006. The process under this subsection is exempt from
 3 AS 44.62 (Administrative Procedure Act), but the weekly benefit amounts set under
 4 this subsection shall be submitted to the lieutenant governor for publication in the
 5 Alaska Administrative Code for informational purposes.

6 (j) The commissioner shall report to the governor and the legislature if the
 7 average weekly wage in this state decreases to the extent that an adjustment in weekly
 8 benefit amounts set in (d) of this section or under (h) and (i) of this section is
 9 appropriate for the proper administration of trust funds under this chapter.

10 (k) By December 1 of each year, the department shall determine the average
 11 weekly wage in this state by dividing the average annual wage in this state for the
 12 preceding 12-month period ending June 30 by 52. The resulting figure is the average
 13 weekly wage in this state for purposes of the department's calculations under (h) and
 14 (j) of this section. For purposes of this subsection, the department's calculation of the
 15 average annual wage in this state shall include the wages of all employees in the state,
 16 both public and private, who are covered by this chapter.

17 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 18 read:

19 **TRANSITION: REGULATIONS.** Notwithstanding sec. 6 of this Act, the
 20 Department of Labor and Workforce Development may immediately proceed to adopt
 21 regulations necessary to implement the changes made by this Act. The regulations take effect
 22 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the
 23 statutory change.

24 * **Sec. 5.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).

25 * **Sec. 6.** Except as provided in sec. 5 of this Act, this Act takes effect January 1, 2006.