

Introduced 1/18/71
Referred: Labor & Management

1 IN THE HOUSE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 79

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to amend the Alaska Employment Security
7 Act in order to conform it to the provisions of
8 the Federal-State Extended Unemployment Compensation
9 Act of 1970; and providing for an effective date."

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

11 * Section 1. AS 23.20 is amended by adding new sections to read:

12 ARTICLE 6A. EXTENDED UNEMPLOYMENT COMPENSATION

13 Sec. 23.20.406. EXTENDED BENEFITS: ELIGIBILITY. (a) Except
14 when the result would be inconsistent with other provisions of
15 AS 23.20, the provisions of AS 23.20 which apply to claims for
16 or the payment of regular benefits apply to claims for and the
17 payment of extended benefits.

18 (b) An individual is eligible to receive extended benefits
19 with respect to any week of unemployment in his eligibility period
20 if the department finds that with respect to such week

21 (1) he is an "exhaustee" as defined in sec. 409(6)
22 of this chapter; and

23 (2) he has otherwise satisfied the requirements of
24 AS 23.20 for the receipt of regular benefits.

25 Sec. 23.20.407. WEEKLY EXTENDED BENEFIT AMOUNT: TOTAL PAYABLE.

26 (a) The weekly extended benefit amount payable to an individual
27 for a week of total unemployment in his eligibility period is
28 an amount equal to the weekly basic or augmented benefit amounts
29

1 payable to him during his applicable benefit year.

2 (b) The total extended benefit amount payable to any
3 eligible individual with respect to his applicable benefit
4 year shall be the least of the following amounts:

5 (1) 50 per cent of the total amount of regular
6 benefits, including dependents' allowances, which were
7 payable to him under AS 23.20 in his applicable benefit
8 year;

9 (2) 13 times his average weekly benefit amount,
10 including dependents' allowances, which was payable to him
11 under AS 23.20 for a week of total unemployment in the applicable
12 benefit year; or

13 (3) 39 times his average weekly benefit amount,
14 including dependents' allowances, which was payable to him
15 under AS 23.20 for a week of total unemployment in the applicable
16 benefit year, reduced by the total amount of regular benefits
17 which were paid or considered paid to him under AS 23.20 with
18 respect to the benefit year.

19 Sec. 23.20.408. EXTENDED BENEFIT PERIODS. (a) When-
20 ever an extended benefit period is to become effective in
21 this state as a result of a state or national "on" indicator,
22 or an extended benefit period is to be terminated in this
23 state as a result of either a state "off" indicator or a
24 national "off" indicator, the department shall make an approp-
25 riate public announcement.

26 (b) No extended benefit period may begin by reason of a
27 state "on" indicator before the 14th week following the end of
28 a prior extended benefit period which was in effect with respect
29 to this state.

1 (c) Within the period beginning with the effective date of secs.
2 406 - 409 of this chapter and ending on December 31, 1971, an extended
3 benefit period may become effective and be terminated in this state
4 solely by reason of a state "on" and a state "off" indicator, respect-
5 ively.

6 (d) There is a national "on" indicator for a week if the United
7 States Secretary of Labor determines that for each of the three most
8 recent calendar months ending before such week, the rate of insured
9 unemployment, seasonally adjusted, for all states equaled or exceeded
10 4.5 per cent;

11 (e) There is a national "off" indicator for a week if the United
12 States Secretary of Labor determines that for each of the three most
13 recent calendar months ending before such week, the rate of insured
14 unemployment, seasonally adjusted, for all states was less than 4.5
15 per cent;

16 (f) There is a state "on" indicator for a week if the department
17 determines, in accordance with the regulations of the United States
18 Secretary of Labor, that for the period consisting of such week and
19 the immediately preceding 12 weeks, the rate of insured unemployment,
20 not seasonally adjusted, under AS 23.20

21 (A) equaled or exceeded 120 per cent of the average
22 of such rates for the corresponding 13 week period ending in
23 each of the preceding two calendar years; and

24 (B) equaled or exceeded four per cent;

25 (g) There is a state "off" indicator for a week if the department
26 determines, in accordance with the regulations of the United States
27 Secretary of Labor, that for the period consisting of such week and
28 the immediately preceding 12 weeks, the rate of insured unemployment,
29 not seasonally adjusted, under AS 23.20

1 (A) was less than 120 per cent of the average of such
2 rates for the corresponding 13 week period ending in each of
3 the preceding two calendar years; or

4 (B) was less than four per cent;

5 Sec. 23.20.409. DEFINITIONS. As used in secs. 406 - 408 of
6 this chapter.

7 (1) "extended benefit period" means a period which

8 (A) begins with the third week after whichever of the
9 following weeks occurs first:

10 (1) a week for which there is a national "on"
11 indicator, or

12 (ii) a week for which there is a state "on"
13 indicator; and

14 (B) ends with either of the following weeks, whichever
15 occurs later:

16 (1) the third week after the first week for which
17 there is both a national "off" indicator and a state "off"
18 indicator; or

19 (ii) the 13th consecutive week of such period;

20 (2) "rate of insured unemployment", for the purpose of
21 sec. 408 (f) and (g) means the percentage derived by dividing

22 (A) the average weekly number of individuals filing
23 claims in this state for weeks of unemployment with respect to
24 the most recent 13 consecutive week period, as determined by the
25 department on the basis of its reports to the United States
26 Secretary of Labor by

27 (B) the average monthly employment covered under AS
28 23.20 for the first four of the most recent six completed
29 calendar quarters ending before the close of such 13 week period;

1 (C) computations required by the provisions of sec.
2 409(2) of this chapter shall be made by the department, in
3 accordance with regulations prescribed by the United States
4 Secretary of Labor.

5 (3) "regular benefits" means benefits payable to an
6 individual under AS 23.20 or under any other law, including benefits
7 payable to federal civilian employees and to ex-servicemen pursuant
8 to 5 U.S.C. chapter 85, other than extended benefits;

9 (4) "Extended benefits" means benefits, including benefits
10 payable to federal civilian employees and to ex-servicemen pursuant
11 to 5 U.S.C. chapter 85, payable to an individual under the provisions
12 of this article for weeks of unemployment in his eligibility period;

13 (5) "Eligibility period" of an individual means the period
14 consisting of the weeks in his benefit year which begin in an extended
15 benefit period, any weeks thereafter which begin in such period;

16 (6) "Exhaustee" means an individual who, with respect to
17 any week of unemployment in his eligibility period

18 (A) has received, prior to such week, all of the
19 regular benefits that were available to him under AS 23.20 or any
20 other law, including dependents' allowances and benefits payable
21 to federal civilian employees and ex-servicemen under 5 U.S.C.
22 chapter 85, in his current benefit year that includes such week;
23 provided that for the purposes of this paragraph, an individual
24 shall be considered to have received all of the regular benefits
25 that were available to him even though he may subsequently be
26 determined to be entitled to added regular benefits as a result
27 of a pending appeal with respect to wages in covered employment
28 that were not considered in the original monetary determination
29 to be in his benefit year; or

1 (B) his benefit year having expired prior to such
2 week, has no, or insufficient, wages in covered employment on the
3 basis of which he could establish a new benefit year that would
4 include such week; and

5 (C) has no right to unemployment benefits or allowances,
6 as the case may be, under the Railroad Unemployment Insurance Act,
7 the Trade Expansion Act of 1962, the Automotive Products Trade
8 Act of 1965, or under such other federal laws as are specified
9 in regulations issued by the United States Secretary of Labor and
10 has not received and is not seeking unemployment benefits under
11 the unemployment compensation law of the Virgin Islands or of
12 Canada but if he is seeking such benefits and the appropriate
13 agency finally determines that he is not entitled to benefits
14 under such law he is considered an exhaustee.

15 * Sec. 2. This Act takes effect on the day after its passage and
16 approval or on the day it becomes law without approval.
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