

Introduced: 3/7/84
Referred: Labor and Commerce and
Finance

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 525

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unemployment insurance; and
7 providing for an effective date."

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

9 * Section 1. AS 23.20.130(d) is amended to read:

10 (d) The training and building fund consists of all interest and
11 penalties collected under AS 23.20.185, 23.20.190, and 23.20.195 and
12 all sums recovered on official bond for losses sustained by the fund.
13 Training and building fund money shall be deposited in the clearing
14 account of the unemployment compensation fund for clearance only, and
15 does not become a part of the fund. The unobligated amount in the
16 training and building fund in excess of \$100,000 on the close of
17 business of the 30th day following the last day of each fiscal year
18 shall be transferred within 20 days to this state's account in the
19 unemployment trust fund. The fund shall be included in the budget
20 submitted to the legislature under the Executive Budget Act (AS 37.-
21 07). Funds available in the training and building fund shall be
22 expended upon the direction of the department, with the approval of
23 the governor, when it appears to the governor [HIM] that the expendi-
24 ture is necessary for but not limited to

25 (1) the proper administration of this chapter if no federal
26 funds are available for the specific purpose for which the expenditure
27 is to be made, and if the funds are not substituted for appropriations
28 from federal funds that [WHICH] would be made available in the absence
29 of those funds;

1 (2) the proper administration of this chapter, if [FOR
2 WHICH PURPOSE] appropriations from federal funds have been requested
3 but not yet received, and [IF] the training and building fund will be
4 reimbursed upon receipt of the requested federal appropriation;

5 (3) the purposes specified in AS 23.15.611;

6 (4) the purposes specified in AS 23.20.075.

7 * Sec. 2. AS 23.20.170 is amended by adding a new subsection to read:

8 (c) The standard rate of contributions with respect to employ-
9 ment is 5.4 percent of wages paid. Reductions from the standard rate
10 may only be made under this section and AS 23.20.280 - 23.20.310.

11 * Sec. 3. AS 23.20.290(c) is amended to read:

12 (c) Beginning January 1, 1981, the rate of contributions for
13 each employer is 82 percent of the average benefit cost rate multi-
14 plied by the employer's experience factor set out in column C of the
15 table in this subsection opposite the employer's [HIS] applicable rate
16 class set out in column A plus the fund solvency contribution required
17 under (f) of this section. However, the rate of contributions for an
18 employer may not be less than one percent or more than six and one-
19 half percent. The rate of contributions for an employer in rate class
20 21 may not be less than 5.4 percent. The rate of contributions for an
21 employer must be rounded to the nearest one-hundredth of one percent.

22	COLUMN A		COLUMN B		COLUMN C
23	Rate Class		Cumulative		Experience
24			Ratable Payroll		Factor
25			at least		but less than
26			(percent)		(percent)
27	1			5	.40
28	2	5		10	.45
29	3	10		15	.50

1	4	15	20	.55
2	5	20	25	.60
3	6	25	30	.65
4	7	30	35	.70
5	8	35	40	.80
6	9	40	45	.90
7	10	45	50	1.00
8	11	50	55	1.00
9	12	55	60	1.10
10	13	60	65	1.20
11	14	65	70	1.30
12	15	70	75	1.35
13	16	75	80	1.40
14	17	80	85	1.45
15	18	85	90	1.50
16	19	90	95	1.55
17	20	95	<u>99.99</u>	1.60
18	<u>21</u>	<u>99.99</u>		<u>1.65</u>

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

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

	(A)		(B)
	Base Period Wages		Weekly Benefit Amount
	At Least	But less than	
28	0	1,000	\$ 0
29	1,000	1,250	34

1	1,250	1,500	36
2	1,500	1,750	38
3	1,750	2,000	40
4	2,000	2,250	42
5	2,250	2,500	44
6	2,500	2,750	46
7	2,750	3,000	48
8	3,000	3,250	50
9	3,250	3,500	52
10	3,500	3,750	54
11	3,750	4,000	56
12	4,000	4,250	58
13	4,250	4,500	60
14	4,500	4,750	62
15	4,750	5,000	64
16	5,000	5,250	66
17	5,250	5,500	68
18	5,500	5,750	70
19	5,750	6,000	72
20	6,000	6,250	74
21	6,250	6,500	76
22	6,500	6,750	78
23	6,750	7,000	80
24	7,000	7,250	82
25	7,250	7,500	84
26	7,500	7,750	86
27	7,750	8,000	88
28	8,000	8,250	90
29	8,250	8,500	92

1	8,500	8,750	94
2	8,750	9,000	96
3	9,000	9,250	98
4	9,250	9,500	100
5	9,500	9,750	102
6	9,750	10,000	104
7	10,000	10,250	106
8	10,250	10,500	108
9	10,500	10,750	110
10	10,750	11,000	112
11	11,000	11,250	114
12	11,250	11,500	116
13	11,500	11,750	118
14	11,750	12,000	120
15	12,000	12,250	122
16	12,250	12,500	124
17	12,500	12,750	126
18	12,750	13,000	128
19	13,000	13,250	130
20	13,250	13,500	132
21	13,500	13,750	134
22	13,750	14,000	136
23	14,000	14,250	138
24	14,250	14,500	140
25	14,500	14,750	142
26	14,750	15,000	144
27	15,000	15,200	146
28	15,200	15,400	148
29	15,400	15,600	150

1	15,600	15,800	152
2	15,800	16,000	154
3	16,000	<u>16,200</u>	156
4	<u>16,200</u>	<u>16,400</u>	<u>158</u>
5	<u>16,400</u>	<u>16,600</u>	<u>160</u>
6	<u>16,600</u>	<u>16,800</u>	<u>162</u>
7	<u>16,800</u>	<u>17,000</u>	<u>164</u>
8	<u>17,000</u>	<u>17,200</u>	<u>166</u>
9	<u>17,200</u>	<u>17,400</u>	<u>168</u>
10	<u>17,400</u>	<u>17,600</u>	<u>170</u>
11	<u>17,600</u>	<u>17,800</u>	<u>172</u>
12	<u>17,800</u>	<u>18,000</u>	<u>174</u>
13	<u>18,000</u>	<u>18,200</u>	<u>176</u>
14	<u>18,200</u>	<u>18,400</u>	<u>178</u>
15	<u>18,400</u>	<u>18,600</u>	<u>180</u>
16	<u>18,600</u>	<u>18,800</u>	<u>182</u>
17	<u>18,800</u>	<u>19,000</u>	<u>184</u>
18	<u>19,000</u>	<u>19,200</u>	<u>186</u>
19	<u>19,200</u>	<u>19,400</u>	<u>188</u>
20	<u>19,400</u>	<u>19,600</u>	<u>190</u>
21	<u>19,600</u>	<u>19,800</u>	<u>192</u>
22	<u>19,800</u>	<u>20,000</u>	<u>194</u>
23	<u>20,000</u>	<u>20,200</u>	<u>196</u>
24	<u>20,200</u>		<u>198</u>

25 * Sec. 5. AS 23.20.350(f) is repealed and reenacted to read:

26 (f) An individual who establishes a benefit year is eligible for
27 an allowance for dependents in addition to the individual's weekly
28 benefit amount. The department may require an individual claiming or
29 receiving an allowance for dependents to produce income tax returns,

1 birth certificates, notices of adoption or custody, social security
2 account number of spouse, verification of support documents, or other
3 information necessary to verify that the allowance is payable to the
4 individual. The allowance for dependents

5 (1) is \$24 per week for each dependent, except that the
6 total allowance for dependents paid to an individual may not exceed
7 \$72 for each week of unemployment;

8 (2) is payable beginning with the week during the benefit
9 year in which the individual claims an allowance for the dependent and
10 is payable for the remainder of the individual's eligibility for
11 regular, extended, or supplemental payments during the benefit year;

12 (3) may not be claimed for a new dependent after the end of
13 the benefit year or after the exhaustion of regular benefits in the
14 benefit year;

15 (4) may not be paid to an individual if

16 (A) that dependent has been claimed by another indi-
17 vidual;

18 (B) the other individual has been found eligible to
19 receive the allowance for the dependent; and

20 (C) the benefit year of the other individual has not
21 expired; and

22 (5) may be paid only if the department determines that no
23 other individual having an unexpired benefit year has been found
24 eligible for an allowance for the same dependent.

25 * Sec. 6. AS 23.20.350(g)(1) is amended to read:

26 (1) "dependent" means an individual's

27 (A) unmarried child, stepchild, legally adopted child,
28 or legal ward under 18 years of age who is

29 (i) lawfully in the individual's physical custody

1 at the time the individual claims the allowance for depen-
2 dents; or

3 (ii) dependent on the individual for more than 50
4 percent of support;

5 (B) unmarried child, stepchild, legally adopted child,
6 or legal ward of any age who is dependent on the individual for
7 more than 50 percent of support and who is prevented by infirmity
8 from engaging in a gainful occupation;

9 * Sec. 7. AS 23.20.362(c) is amended to read:

10 (c) The amount of benefits payable to an insured worker for a
11 week of unemployment shall be reduced by the amount of any severance
12 or termination payment, wages in lieu of dismissal notice, or payment
13 for vacation, sick leave, or holidays which is attributable to that
14 week [PAYMENT ATTRIBUTABLE TO THAT WEEK WHICH COMPENSATES THE INSURED
15 WORKER FOR A DISMISSAL FROM EMPLOYMENT WITHOUT NOTICE, OR FOR ACCRUED
16 VACATION, SICK LEAVE, OR HOLIDAYS].

17 * Sec. 8. AS 23.20.381 is amended by adding new subsections to read:

18 (h) Benefits based on services for an educational institution in
19 other than an instructional, research, or principal administrative
20 capacity shall not be paid to an individual for a week of unemployment
21 that begins during the period between two successive academic years or
22 terms if the individual performed those services in the first of those
23 academic years or terms and there is a reasonable assurance that the
24 individual will perform those services in the second of those academic
25 years or terms. If an individual is denied benefits for any week
26 under this subsection and the individual is not later offered an
27 opportunity to perform services for the educational institution in the
28 second academic year or term, the individual is entitled to a retroac-
29 tive payment of benefits for each week for which the individual filed

1 a timely claim for benefits and for which benefits were denied solely
2 under this subsection.

3 (i) Benefits based on services described in (a) and (h) of this
4 section shall not be paid to an individual for a week that begins
5 during an established and customary vacation period or holiday recess
6 if the individual performs those services in the period immediately
7 before the vacation period or holiday recess and there is a reasonable
8 assurance that the individual will perform those services in the
9 period immediately following the vacation period or holiday recess.

10 (j) Benefits based on services described in (a) and (h) of this
11 section shall be denied under (a), (h), and (i) of this section to an
12 individual who performed those services in an educational institution
13 while in the employ of an educational service agency. For the purpose
14 of this subsection, "educational service agency" means a governmental
15 agency or governmental entity that is established and operated exclu-
16 sively for the purpose of providing services to one or more education-
17 al institutions.

18 * Sec. 9. AS 23.20.406(c) is amended to read:

19 (c) Notwithstanding (a) and (b) of this section, an individual
20 is ineligible for payment of extended benefits for any week of unem-
21 ployment in the individual's [HIS] eligibility period if the depart-
22 ment finds that during that period

23 (1) the individual [HE] failed to accept an offer of suit-
24 able work as defined under (k) of this section or failed to apply for
25 suitable work to which the individual [HE] was referred by the depart-
26 ment; or

27 (2) the individual [HE] failed to actively seek work as
28 prescribed under (f) of this section, except that the eligibility of
29 the individual will be determined under AS 23.20.378 without regard to

1 the disqualification provisions otherwise applicable under (d) of this
2 section if the individual is not actively engaged in seeking work
3 because the individual is (A) summoned for jury duty before a court of
4 the United States or any state; or (B) hospitalized for treatment of
5 an emergency or life-threatening condition.

6 * Sec. 10. AS 23.20.505 is amended by adding a new subsection to read:

7 (d) An individual is not considered "unemployed" in a week if

8 (1) the individual is not performing services during that
9 week because the individual is on leave from the regular employer of
10 the individual for a period of four weeks or less; and

11 (2) the leave is part of a work schedule consisting of
12 alternating periods of work and leave in which the hours of work for
13 one complete period of work and leave average at least 40 hours per
14 week.

15 * Sec. 11. AS 23.20.526(a)(22) is amended to read:

16 (22) service performed for a corporation by an employee of
17 the corporation if

18 (A) the corporation is incorporated under AS 10.05;

19 (B) the corporation is not a government corporation;

20 and

21 (C) the employee is an executive officer of the corpo-
22 ration who directly or indirectly owns 25 percent or more of the
23 voting securities of the corporation [; AND

24 (D) THE EXECUTIVE OFFICER AGREES THAT THE SERVICES NOT
25 BE "EMPLOYMENT" UNDER THIS PARAGRAPH].

26 * Sec. 12. Sections 2 and 3 of this Act take effect January 1, 1985.

27 * Sec. 13. Sections 4 - 6 of this Act take effect October 1, 1984, and
28 apply to benefit years established after September 30, 1984.

29 * Sec. 14. Section 11 of this Act takes effect July 1, 1984.

1 * Sec. 15. Sections 1 and 7 - 10 of this Act take effect immediately in
2 accordance with AS 01.10.070(c).