

COMMITTEE REPORT

HOUSE

(11)

4/5/82

FURTHER:

Date: 4/10/82

Mr. Speaker:

The Committee on FINANCE has had HB 757

"An Act relating to unemployment insurance; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 757 (L+C) same title new title
- and recommends without recommendation
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Chairman
CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE
FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 757 #1
 Title "An Act relating to unemployment insurance and providing for an"
 Requested by Rules Committee/Governor Date 1/20/82

II. FISCAL DETAIL

Agency Affected All agencies
 Program Category Affected All, indirectly increases General Fund reimb. to UI trust fund
 BRU, Program, or Subprogram(s) Affected All indirectly
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	20.0	211.0	216.0	221.0	228.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	20.0	211.0	216.0	221.0	228.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	20.0	211.0	216.0	221.0	228.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions:

- As a result of federal law changing trigger rate calculation, Alaska will trigger off 5 months every year beginning September 1982.
- 30% of remaining EB weeks claimed (after 1981 conforming legislation) will be saved from payment by triggering off. The savings is included in the net cost above.
- Remaining EB payments plus all regular payments will be increased by a net effect of 10% for increased WBA and duration.
- New WBA and duration schedule effective 1/1/83.

IV. DATE 2/3/82 PREPARED BY Mico Bus Mico Bus, Finance Officer

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 757 #2
 Title "An Act relating to Unemployment Insurance and providing for an"
 Requested by Rules Committee/Governor Date 1/22/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Employment Security

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	19.0	0	0	0	0
200 TRAVEL						
300 CONTRACTUAL	10.0	41.2				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	10.0	60.2	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	10.0	60.2	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The proposed amendments to AS 23.20.350, to increase UI duration and benefit amount, will require additional programming services. Proposed AS 23.20.401, dealing with interception of UI benefits to pay child support obligations, will require expenditures for programming and forms, and an additional one-half positions state-wide, explaining program to claimants and detailing procedures with child support enforcement staff.

Contractual programming expenditures for both child support interception and the increase in UI duration and benefit amount are based on an estimated 1,280 man-hours of programming time at \$40 per hour. (\$10. - FY '82, \$41.2)

Assumes that the one-half position will be an existing position. Assumes immediate effective date.

IV. DATE 2/3/82 PREPARED BY [Signature] Nico Bus, Finance Officer
 AGENCY Labor
 Original: Legislative Finance PHONE 465-720

POSITION PAPER

CS. HOUSE BILL NO. 757 (LABOR AND COMMERCE COMMITTEE)

"An Act relating to unemployment insurance; and providing for an effective date."

The state is currently facing a 1.2 million dollar sanction due to a high error rate in the food stamp program during a six-month period. The total sanctions for subsequent periods may be as high as 3 to 4 million dollars. The primary identified cause of the over payments is client failure to correctly report changes in income.

Through the successful execution of specified corrective actions the state can avoid the sanction. This bill provides for the exchange of information between the Department of Health and Social Services and the Department of Labor for the purpose of administering the food stamp program. This is one of the corrective actions mandated by the Department of Agriculture and will permit verification of employment and wages in accordance with 7 CFR 273.2 f (4)(ii). This requirement is further mandated by the Food Stamp Act as amended by Public Law 97-98 Sec. 11(e)20 (December 22, 1981) which will be placed into Department of Agriculture Regulation.

The department is concerned solely with Section 1 (f) and (g) and supports their passage as written.

Passage of this bill will permit the administration of the food stamp program more along the lines of other states with lower error rates.

RECOMMENDED BY:

Rod Betit
Rod Betit, Director

DATE:

April 9, 1982

APPROVED BY:

Helen D. Beirne
Helen D. Beirne, Commissioner

DATE:

4-11-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 757

Title _____

Requested by Rod Betit

Date 4-9-82

II. FISCAL DETAIL

Agency Affected Health and Social Services: Labor

Program Category Affected Social Services, Division of Public Assistance

BRU, Program, Or Subprogram(s) Affected Food Stamps/PA Eligibility Determination

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The necessary information is already being collected and the exchange of that information is not expected to require an increased appropriation.

IV. DATE April 9, 1982

PREPARED BY Garth Patterson

AGENCY Public Assistance/Food Stamp Program

Original: Legislative Finance

PHONE 465-3360

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

JCC

POSITION PAPER

CS HOUSE BILL NO. 757 (LABOR AND COMMERCE COMMITTEE)

"An Act relating to unemployment insurance; and providing for an effective date."

The state is currently facing a 1.2 million dollar sanction due to a high error rate in the food stamp program during a six-month period. The total sanctions for subsequent periods may be as high as 3 to 4 million dollars. The primary identified cause of the over payments is client failure to correctly report changes in income.

Through the successful execution of specified corrective actions the state can avoid the sanction. This bill provides for the exchange of information between the Department of Health and Social Services and the Department of Labor for the purpose of administering the food stamp program. This is one of the corrective actions mandated by the Department of Agriculture and will permit verification of employment and wages in accordance with 7 CFR 273.2 f (4)(ii). This requirement is further mandated by the Food Stamp Act as amended by Public Law 97-98 Sec. 11(e)20 (December 22, 1981) which will be placed into Department of Agriculture Regulation.

The department is concerned solely with Section 1 (f) and (g) and supports their passage as written.

Passage of this bill will permit the administration of the food stamp program more along the lines of other states with lower error rates.

RECOMMENDED BY:

Rod Betit

Rod Betit, Director

DATE:

April 9, 1982

APPROVED BY:

Helen D. Beirne

Helen D. Beirne, Commissioner

DATE:

4-11-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HB 757
 Title _____
 Requested by Rod Betit Date 4-9-82

II. FISCAL DETAIL
 Agency Affected Health and Social Services; Labor
 Program Category Affected Social Services, Division of Public Assistance
 BRU, Program, Or Subprogram(s) Affected Food Stamps/PA Eligibility Determination
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The necessary information is already being collected and the exchange of that information is not expected to require an increased appropriation.

IV. DATE April 9, 1982 PREPARED BY Garth Patterson
 AGENCY Public Assistance/Food Stamp Program
 PHONE 465-3360
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

fcc

Original sponsor: Rules/Governor

Offered: 4/5/82
Referred: Finance

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 757 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

9 * Section 1. AS 23.20.110 is amended by adding new subsections to read:

10 (f) On request of the United States Department of Agriculture or
11 an agency of this or another state that administers the food stamp
12 program established by 7 U.S.C. secs. 2011 - 2026, and if that agency
13 has agreed that information provided by the department will be used only
14 to determine an individual's eligibility for food stamp benefits or the
15 amount of the benefits, the department shall provide, for each indivi-
16 dual named by the requesting agency, any of the following information
17 contained in the records of the department:

18 (1) wage and employer information;

19 (2) the information specified in (c) of this section; and

20 (3) the amount of unemployment compensation, if any, to be
21 received.

22 (g) The requirements of this section concerning the confidential-
23 ity of information obtained in the course of administering this chapter
24 apply to officers and employees of a state or federal agency to whom the
25 department provides information as authorized by this section.

26 * Sec. 2. AS 23.20.115 is amended to read:

27 Sec. 23.20.115. UNAUTHORIZED DISCLOSURE OF INFORMATION. A member
28 of the department, an employee of the department, [OR] an agent of the
29 department, or an officer or employee of a state or federal agency that

1 has been provided with information by the department who, in violation
2 of AS 23.20.110, makes a disclosure of information obtained from an
3 employing unit or from an individual in the administration of this
4 chapter, or a person who has obtained a list of applicants for work or of
5 claimants or recipients of benefits under this chapter and who uses or
6 permits the use of the list for a purpose not authorized by AS 23.20.110
7 is guilty of a class B misdemeanor.

8 * Sec. 3. AS 23.20.165(e) is amended to read:

9 (e) An employer shall maintain a record of the amount deducted
10 from the wages of each employee and shall furnish a statement of the
11 deductions to each employee at the times and in the manner the depart-
12 ment prescribes by regulation. No deduction may be made from those
13 wages paid to an employee during a calendar year which are in excess of
14 the wages subject to contributions under AS 23.20.175. If an employee
15 in the employ of two or more employers earns wages in one calendar year
16 totaling more than the wages subject to contributions or if an employer
17 through error makes a deduction and erroneously pays contributions [OR
18 INTEREST] on wages of an employee in excess of the wages subject to
19 contributions during a calendar year, the amount of deductions in excess
20 of those required by this chapter [MAY BE REQUESTED BY THE EMPLOYEE.
21 EMPLOYEE DEDUCTIONS IN EXCESS OF THE WAGES SUBJECT TO CONTRIBUTIONS]
22 shall be refunded to the employee by the department upon application for
23 them in accordance with regulations adopted by the department. Applica-
24 tion must be made during the calendar year after the calendar year in
25 which the deductions are made.

26 * Sec. 4. AS 23.20.290(c) is amended to read:

27 (c) Beginning January 1, 1981, the rate of contributions for each
28 employer is 82 percent of the average benefit cost rate multiplied by
29 the employer's experience factor set out in column C of the table in

1 this subsection opposite his applicable rate class set out in column A
 2 plus the fund solvency contribution required under (f) of this section.
 3 However, the rate of contributions for an employer may not be less than
 4 one percent or more than six and one-half percent. The rate of contri-
 5 butions for an employer must be rounded to the nearest one-hundredth of
 6 one percent.

7 COLUMN A	8 COLUMN B		9 COLUMN C
10 Rate Class	11 Cumulative		12 Experience
	13 Ratable Payroll		
	14 at least	15 but less than	
	16 (percent)	17 (percent)	
18 1		5	.40
19 2	5	10	.45
20 3	10	15	.50
21 4	15	20	.55
22 5	20	25	.60
23 6	25	30	.65
24 7	30	35	.70
25 8	35	40	.80
26 9	40	45	.90
27 10	45	50	1.00
28 11	50	55	1.00
29 12	55	60	1.10
30 13	60	65	1.20
31 14	65	70	1.30
32 15	70	75	1.35
33 16	75	80	1.40
34 17	80	85	1.45
35 18	85	90	1.50

1	19	90	95	1.55
2	20	95	[100]	1.60

3 * Sec. 5. AS 23.20.340(d) is amended to read:

4 (d) Unless the claimant is determined to be disqualified for
5 benefits under AS 23.20.360, 23.20.362, 23.20.375, 23.20.378 - 23.20.-
6 387, or 23.20.505, benefits shall be promptly paid in accordance with
7 the initial determination or subsequent redetermination.

8 * Sec. 6. AS 23.20.340(f) is amended to read:

9 (f) If a determination of disqualification under AS 23.20.360, 23.-
10 20.362, 23.20.375, 23.20.378 - 23.20.387, or 23.20.505 is made, the
11 claimant shall be promptly notified of the determination and the reasons
12 for it. The claimant and other interested parties as defined by regula-
13 tions of the department may appeal the determination in the same manner
14 prescribed in this chapter for appeals of initial determinations and
15 redeterminations. Benefits may not be paid while a determination is
16 being appealed for any week for which the determination of disqualifica-
17 tion was made. However, if a decision on the appeal allows benefits to
18 the claimant, those benefits must be paid promptly.

19 * Sec. 7. AS 23.20.350(d) is repealed and reenacted to read:

20 (d) An individual who is eligible under (a) of this section is
21 entitled to receive the weekly benefit amount set out in column (B) of
22 the table in this subsection which is opposite the amount set out in
23 column (A) of the individual's base period wages determined under (c) of
24 this section:

(A)		(B)
At least	But less than	Weekly Benefit Amount
0	1,000	\$ 0
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		156

4 * Sec. 8. AS 23.20 is amended by adding a new section to read:

5 Sec. 23.20.353. SUPPLEMENTAL STATE BENEFITS. (a) An individual
6 is eligible to receive supplemental state benefits for a week in which

7 (1) he is an "exhaustee" as defined in AS 23.20.409(5);

8 (2) he has otherwise satisfied the requirements of this
9 chapter for the receipt of regular benefits; and

10 (3) he is ineligible for extended benefits solely because of
11 the provisions of AS 23.20.406(b)(1).

12 (b) Supplemental state benefits are paid in the same amounts, for
13 the same periods, and under the same conditions as extended benefits
14 under AS 23.20.406(a) - (k) and AS 23.20.407 - 23.20.409.

15 * Sec. 9. AS 23.20.360 is repealed and reenacted to read:

16 Sec. 23.20.360. EARNINGS DEDUCTED FROM WEEKLY BENEFIT AMOUNT. The
17 amount of benefits, excluding the allowance for dependents, payable to
18 an insured worker for a week of his unemployment shall be reduced by 75
19 percent of the wages payable to him for that week that are in excess of
20 \$50. However, the amount of benefits may not be reduced below zero. If
21 the benefit is not a multiple of \$1, it is computed to the next higher
22 multiple of \$1. If the benefit is zero, no allowance for dependents is
23 payable.

24 * Sec. 10. AS 23.20.375(a) is amended to read:

25 (a) An insured worker is entitled to receive waiting-week credit
26 or benefits for a week of unemployment for which he has not been dis-
27 qualified under AS 23.20.360, 23.20.362, 23.20.378 - 23.20.387, or
28 23.20.505 if, in accordance with regulations adopted by the department,
29 he has

1 (1) made an initial claim for benefits; and
2 (2) for that week, certified for waiting-week credit or made
3 a claim for benefits.

4 * Sec. 11. AS 23.20.378(a) is repealed and reenacted to read:

5 (a) An insured worker is entitled to receive waiting-week credit
6 or benefits for a week of his unemployment if for that week he is able
7 to work and available for suitable work. An insured worker is not con-
8 sidered available for work unless he is registered for work in accor-
9 dance with regulations adopted by the department. An insured worker may
10 not be disqualified for failure to comply with this subsection if

11 (1) he is not available for work because

12 (A) he is ill or disabled;

13 (B) he is traveling to obtain medical services that are
14 not available in the area in which he resides, or, if a physician
15 determines it is necessary, he is accompanying a spouse or dependent
16 who is traveling to obtain medical services;

17 (C) he resides in the state and is noncommercially
18 hunting or fishing for his survival or the survival of his de-
19 pendants; or

20 (D) he is serving as a prospective or impaneled juror in
21 a court; and

22 (2) a condition described in (1)(A) - (C) of this subsection
23 occurs during an uninterrupted period of unemployment immediately follow-
24 ing a week for which he has filed a compensable claim, and work has not
25 been offered to him that would have been suitable for him before the
26 illness, disability, hunting, fishing or medical travel.

27 * Sec. 12. AS 23.20.381 is amended by adding a new subsection to read:

28 (g) An individual may not receive benefits under this chapter in
29 two successive benefit years unless

1 (1) he has performed services, whether or not in "employment"
2 as defined in AS 23.20.525, after the beginning of the first benefit
3 year; and

4 (2) he has earned wages for those services equal to at least
5 eight times his weekly benefit amount, excluding an allowance for depen-
6 dents.

7 * Sec. 13. AS 23.20.382 is amended to read:

8 Sec. 23.20.382. BENEFITS WHILE ATTENDING APPROVED VOCATIONAL
9 TRAINING COURSE. (a) Benefits or waiting-week credit for any week
10 shall not be denied an otherwise eligible individual because he is
11 attending a vocational training or retraining course with the approval
12 of the director of the employment security division or because, while
13 attending the course, he is not available for work or refuses an offer
14 of work.

15 (b) An otherwise eligible individual shall not be denied bene-
16 fits or waiting-week credit for any week because

17 (1) he is in training approved under section 236(a)(1) of
18 the Trade Act of 1974;

19 (2) he left work that was not suitable employment to enter
20 the training; or

21 (3) while attending the training, he is not available for
22 work, fails to seek work, or refuses work.

23 (c) For purposes of (b)(2) of this section, "suitable employment"
24 means work that

25 (1) pays at least 80 percent of the individual's average
26 weekly wage, as determined for the purposes of the Trade Act of 1974;
27 and

28 (2) is at least equal in skill level to the individual's
29 past adversely affected employment, as defined for purposes of the

1 Trade Act of 1974.

2 * Sec. 14. AS 23.20.383(b) is repealed and reenacted to read:

3 (b) This section does not apply if the department finds that

4 (1) the insured worker was not participating in or directly
5 interested in the labor dispute that caused his unemployment, and he did
6 not belong to a grade or class of workers that, immediately before the
7 commencement of the dispute, had members employed at the premises at
8 which the labor dispute occurred who were participating in or directly
9 interested in the labor dispute; or

10 (2) the labor dispute is caused by the failure or refusal of
11 the employer to comply with an agreement or contract between the employer
12 and the insured worker, or a state or federal law pertaining to hours,
13 wages or other conditions of work.

14 * Sec. 15. AS 23.20.390(e) is amended to read:

15 (e) An appeal from the determination of liability under this
16 section may be made in the same manner and to the same extent as pro-
17 vided by AS 23.20.340 and 23.20.410 - 23.20.470 for an appeal relating
18 to a determination in respect to a claim for benefits. If no appeal is
19 taken to the appeal tribunal by the individual within 15 [10] days of
20 the delivery of the notice of determination of liability, or within 15
21 [10] days of the mailing of the notice of determination, whichever is
22 earlier, the determination of liability is final and the court shall,
23 upon application of the department, enter a judgment in the amount
24 provided by the notice of determination. The judgment has the same
25 effect as a judgment entered in a civil action.

26 * Sec. 16. AS 23.20 is amended by adding a new section to read:

27 Sec. 23.20.392. DEDUCTIONS FROM BACK PAY AWARDS. An employer who
28 makes a deduction from a back pay award to an insured worker because of
29 the insured worker's receipt of benefits under this chapter for which he

1 is ineligible by reason of the back pay award, shall pay into the un-
2 employment trust fund an amount equal to the amount of the deduction.
3 If an employer making a payment under this section has already reim-
4 bursed the department for the benefits under AS 23.20.276 - 23.20.277,
5 his account shall be properly credited. The insured worker's liability
6 under AS 23.20.390 shall be reduced by the amount paid by his employer
7 under this section.

8 * Sec. 17. AS 23.20 is amended by adding a new section to read:

9 Sec. 23.20.401. CHILD SUPPORT INTERCEPTION. (a) Notwithstanding
10 any other provision of this chapter, an individual filing a new claim
11 for unemployment compensation must disclose whether he owes child support
12 obligations as defined in (g) of this section. If the individual dis-
13 closes that he owes child support obligations and is determined to be
14 eligible for unemployment compensation, the department shall notify the
15 child support enforcement agency of the Alaska Department of Revenue
16 that the individual has been determined to be eligible for unemployment
17 compensation.

18 (b) The department shall deduct and withhold from unemployment
19 compensation payable to an individual who owes child support obligations
20 as defined in (g) of this section

21 (1) the amount specified by the individual to the department
22 to be deducted and withheld under this subsection, if neither (2) nor
23 (3) of this subsection is applicable;

24 (2) the amount specified in an agreement submitted to the
25 department under section 454(20)(B)(i) of the Social Security Act
26 (42 U.S.C. sec. 654(20)(B)(i)) by the child support enforcement agency
27 of the Alaska Department of Revenue, unless (3) of this subsection is
28 applicable; or

29 (3) any amount required to be deducted and withheld through

1 legal process, as defined in section 462(e) of the Social Security Act
2 (42 U.S.C. sec. 662(e)), properly served upon the department.

3 (c) The department shall pay an amount deducted and withheld under
4 (b) of this section to the child support enforcement agency of the
5 Alaska Department of Revenue.

6 (d) An amount deducted and withheld under (b) of this section
7 shall for all purposes be treated as if it were paid to the individual
8 as unemployment compensation and paid by that individual to the child
9 support enforcement agency of the Alaska Department of Revenue in satis-
10 fication of the individual's child support obligations.

11 (e) In (a) - (d) of this section, "unemployment compensation"
12 means compensation payable under this chapter, including amounts payable
13 under an agreement under a federal law providing for compensation,
14 assistance, or allowances with respect to unemployment.

15 (f) This section applies only if appropriate arrangements have
16 been made for reimbursement by the child support enforcement agency of
17 the Alaska Department of Revenue for the administrative costs incurred
18 by the department under this section.

19 (g) In this section, "child support obligations" includes only
20 obligations that are being enforced under a plan described in section 454
21 of the Social Security Act (42 U.S.C. sec. 654), which has been approved
22 by the United States Secretary of Health and Human Services under Part D
23 of Title IV of the Social Security Act.

24 * Sec. 18. AS 23.20.406 is amended by adding a new subsection to read:

25 (1) Notwithstanding (a) and (b) of this section, an individual is
26 not eligible for extended benefits unless, in the base period determined
27 with respect to his applicable benefit year, the individual has been
28 paid, for employment covered by this chapter, total wages that equal or
29 exceed 40 times the weekly benefit amount, including any allowance for

dependents, which is payable to him during his applicable benefit year.

* Sec. 19. AS 23.20.407 is amended by adding a new subsection to read:

(c) Notwithstanding any other provision of this chapter, if the benefit year of an individual ends within an extended benefit period, the remaining balance of extended benefits that the individual would, but for this section, be entitled to receive in the extended benefit period, with respect to weeks of unemployment beginning after the end of the benefit year, shall be reduced by the number of weeks for which the individual received an amount as a trade readjustment allowance within the benefit year multiplied by the individual's weekly benefit amount for extended benefits. However, the extended benefits may not be reduced below zero.

* Sec. 20. AS 23.20.408(a) is amended to read:

(a) When an extended benefit period is to become effective in this state as a result of a state [OR NATIONAL] "on" indicator, or an extended benefit period is to be terminated in this state as a result of [EITHER] a state "off" indicator [OR A NATIONAL "OFF" INDICATOR], the department shall make an appropriate public announcement.

* Sec. 21. AS 23.20.408(f) is amended to read:

(f) There is a state "on" indicator for a week if the rate of insured unemployment under this chapter for the period consisting of that week and the immediately preceding 12 weeks either:

(1) equaled or exceeded 120 percent of the average rate of insured unemployment for the corresponding 13-week period in each of the preceding two calendar years and equaled or exceeded five [FOUR] percent; or

(2) equaled or exceeded six [FIVE] percent.

* Sec. 22. AS 23.20.408(g) is amended to read:

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

1 and the immediately preceding 12 weeks, the rate of insured unemployment
2 was either: (1) less than five [FOUR] percent; or (2) less than six
3 [FIVE] percent and was less than 120 percent of the average of the rates
4 of insured unemployment for the corresponding 13-week period in each of
5 the preceding two calendar years.

6 * Sec. 23. AS 23.20.408(h) is amended to read:

7 (h) In (f) and (g) of this section, "rate of insured unemployment"
8 means the percentage derived by dividing (1) the average weekly number
9 of individuals filing claims for regular compensation in this state for
10 weeks of unemployment with respect to the most recent 13 consecutive
11 week period, as determined by the department on the basis of its reports
12 to the United States Secretary of Labor, by (2) the average monthly
13 employment covered under this chapter for the first four of the most
14 recent six completed calendar quarters ending before the close of that
15 13-week period. Computations required by this subsection shall be made
16 by the department in accordance with regulations prescribed by the
17 United States Secretary of Labor.

18 * Sec. 24. AS 23.20.409(1) is amended to read:

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

20 (A) begins with the third week after [WHICHEVER OF THE
21 FOLLOWING WEEKS OCCURS FIRST:

22 (i) A WEEK FOR WHICH THERE IS A NATIONAL "ON"
23 INDICATOR, OR

24 (ii)] a week for which there is a state "on" in-
25 dicator; and

26 (B) ends with either of the following weeks, whichever
27 occurs later:

28 (i) the third week after the first week for which
29 there is [BOTH A NATIONAL "OFF" INDICATOR AND] a state "off"

1 indicator; or

2 (ii) the 13th consecutive week of that period;

3 * Sec. 25. AS 23.20.409 is amended by adding a new paragraph to read:

4 (6) "applicable benefit year" means, with respect to an
5 individual, the current benefit year if, at the time an initial claim
6 for extended benefits is filed, the individual has an unexpired benefit
7 year only in the state against which the claim is filed, or, in any
8 other case, the individual's most recent benefit year; the most recent
9 benefit year, for an individual who has unexpired benefit years in more
10 than one state when the initial claim for extended benefits is filed, is
11 the benefit year with the latest ending date or, if the benefit years
12 have the same ending date, the benefit year in which the latest contin-
13 ued claim for regular compensation was filed; no extended benefits are
14 payable under this section unless the "applicable benefit year" was a
15 benefit year established under this chapter.

16 * Sec. 26. AS 23.20.505(a) is amended to read:

17 (a) An individual is considered "unemployed" in a week during
18 which he performs no services and for which no wages are [REMUNERATION
19 IS] payable to him, or in a week of less than full-time work if the
20 wages [REMUNERATION] payable to him for the week are less [IS NOT MORE]
21 than one and one-third times his weekly benefit amount, excluding the
22 allowance for dependents, plus \$50.

23 * Sec. 27. AS 23.20.520(24)(B) is amended to read:

24 (B) is legally authorized in the [THIS] state in which
25 it is located to provide a program of education beyond high school;
26 and

27 * Sec. 28. AS 23.20.520(26) is amended to read:

28 (26) "vocational training or retraining course" means a
29 course of vocational or technical training or retraining in schools or

1 classes, including but not limited to, field or laboratory work and
2 related remedial or academic instruction, which is conducted as a pro-
3 gram designed to prepare individuals for [ENTRY LEVEL] employment in
4 trades, skills or crafts; the term "vocational training or retraining
5 course" does not include a program of instruction for an individual,
6 including a transfer credit program of instruction given at a community
7 college, which is intended as credit for a degree from an institution of
8 higher education;

9 * Sec. 29. AS 23.20.526(a) is amended by adding a new paragraph to read:

10 (21) service performed as a prospective or impaneled juror in
11 a court.

12 * Sec. 30. AS 23.20.530(a) is amended to read:

13 (a) In this chapter, [UNLESS THE CONTEXT OTHERWISE REQUIRES,]
14 "wages" means all remuneration for service from whatever source, includ-
15 ing, but not limited to, insured work, noninsured work, or self-employ-
16 ment; commissions, [AND] bonuses, back pay and the cash value of all
17 remuneration in a medium other than cash shall be treated as wages;
18 gratuities customarily received by an individual in the course of his
19 service from persons other than his employing unit may be treated as
20 wages received from [FOR] his employing unit only to the extent the
21 individual reports the gratuities to his employing unit [; BACK PAY
22 AWARDED UNDER A STATUTE OF THIS STATE OR THE UNITED STATES SHALL BE
23 TREATED AS WAGES]. The reasonable cash value of remuneration in a
24 medium other than cash, and the reasonable amount of gratuities, shall
25 be estimated and determined in accordance with regulations prescribed by
26 the department; notwithstanding AS 23.20.350(a), [FOR THE PURPOSES OF AN
27 INITIAL DETERMINATION ONLY,] back-pay awards shall be allocated to the
28 weeks or quarters with respect to which the pay was earned. If the
29 remuneration of an individual is not based upon a fixed period [OF

1 DURATION] of time or if his wages are paid in irregular intervals or in
2 a manner which does not extend regularly over the period of employment,
3 [FOR THE PURPOSE OF AN INITIAL DETERMINATION ONLY,] the wages shall be
4 allocated to weeks or quarters [QUARTER] in accordance with regulations
5 prescribed by the department. The regulations shall, so far as possible,
6 produce results reasonably similar to those which would prevail if the
7 individual were paid his wages at regular intervals.

8 * Sec. 31. AS 23.20.530(b) is amended by adding a new paragraph to read:

9 (13) compensation received for inactive service performed by a
10 member of the Alaska National Guard or Naval Militia.

11 * Sec. 32. AS 23.20.350(b), 23.20.408(d), 23.20.408(e), 23.20.505(b),
12 23.20.505(c), 23.20.530(b)(11), and 23.20.530(b)(12) are repealed.

13 * Sec. 33. Section 7 of this Act applies to insured workers who establish
14 benefit years after December 31, 1982.

15 * Sec. 34. Sections 1, 2, 7, and 33 of this Act take effect January 1,
16 1983.

17 * Sec. 35. Sections 8 and 17 - 25 of this Act take effect September 26,
18 1982.

19 * Sec. 36. Sections 3 - 6, 9 - 16, and 26 - 32 of this Act take effect
20 immediately in accordance with AS 01.10.070(c).

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JAY S. HAMMOND
GOVERNOR



14B 757

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 11, 1982

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to unemployment insurance. This bill makes several significant changes to unemployment insurance law, as well as making numerous less significant changes which are considered necessary to effectuate legislative intent.

Congress' passage of the Omnibus Budget Reconciliation Act of 1981 and the Economic Recovery Tax Act of 1981 requires several changes in state law in order for the state to remain in conformity with federal requirements and to continue to receive federal money.

The bill requires the employment security division to share information regarding unemployment insurance claims with state or federal agencies which administer the food stamp program and requires those agencies to keep the information confidential.

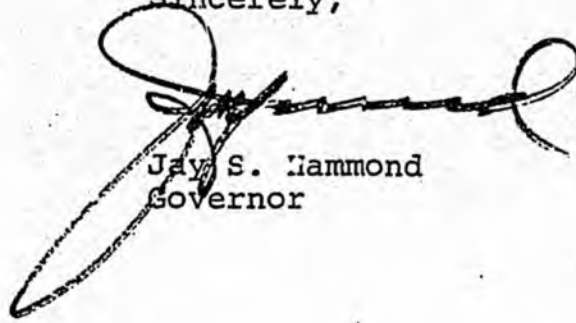
The bill requires the employment security division to withhold from payments of a claimant's benefits the amount the claimant owes for child support obligations and to pay that money to the child support enforcement agency.

The bill makes several changes regarding extended benefits which have the effect of both restricting the conditions generally under which extended benefits are payable and making more stringent the eligibility requirements for individuals wishing to receive extended benefits.

The bill prohibits disqualification of an individual while he or she attends training courses approved under the Trade Act of 1964. It also includes an increase in the unemployment insurance weekly benefit amount and changes in the duration of benefits.

In addition to the above amendments necessitated by recent federal enactments, the bill also makes other changes which the department considers necessary, including changes which correct some provisions, clarify provisions which are ambiguous, and make the statutes more uniform.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jay S. Hammond". The signature is written in dark ink and is positioned above the typed name and title.

Jay S. Hammond
Governor

cc

THE LEGISLATURE OF THE STATE OF ALASKA
 TWELFTH LEGISLATURE
FISCAL NOTE

I. REQUEST
 Bill/Resolution No. _____ House Bill No. 757 #1
 Title "An Act relating to unemployment insurance and providing for an"
 Requested by Rules Committee/Governor Date 1/20/82

II. FISCAL DETAIL
 Agency Affected All agencies
 Program Category Affected All, indirectly increases General Fund reimb. to UI trust fund
 BRU, Program, or Subprogram(s) Affected All indirectly
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	20.0	211.0	216.0	221.0	228.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	20.0	211.0	216.0	221.0	228.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	20.0	211.0	216.0	221.0	228.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 Assumptions:

- As a result of federal law changing trigger rate calculation, Alaska will trigger off 5 months every year beginning September 1982.
- 30% of remaining EB weeks claimed (after 1981 conforming legislation) will be saved from payment by triggering off. The savings is included in the net cost above.
- Remaining EB payments plus all regular payments will be increased by a net effect of 10% for increased WBA and duration.
- New WBA and duration schedule effective 1/1/83.

IV. DATE 2/3/82 PREPARED BY Mico Bus Finance Officer
 AGENCY Labor
 PHONE 165-2720

Original: Legislative Finance
 cc: Budget and Management

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 757 #2
 Title "An Act relating to Unemployment Insurance and providing for an "
 Requested by Rules Committee/Governor Date 1/20/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Employment Security

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	19.0	0	0	0	0
200 TRAVEL						
300 CONTRACTUAL	10.0	41.2				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	10.0	60.2	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	10.0	60.2	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The proposed amendments to AS 23.20.350, to increase UI duration and benefit amount, will require additional programming services. Proposed AS 23.20.401, dealing with interception of UI benefits to pay child support obligations, will require expenditures for programming and forms, and an additional one-half positions state-wide, explaining program to claimants and detailing procedures with child support enforcement staff.

Contractual programming expenditures for both child support interception and the increase in UI duration and benefit amount are based on an estimated 1,280 man-hours of programming time at \$40 per hour. (\$10. - FY '82, \$41.2)

Assumes that the one-half position will be an existing position. Assumes immediate effective date.

IV. DATE 2/3/82 PREPARED BY Mico Bus, Finance Officer
 AGENCY Labor
 PHONE 465-2720

Original: Legislative Finance

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill 757 (L & C)

Title "An Act relating to Unemployment Insurance and providing for an ..."

Requested by House Labor and Commerce Committee

Date 4/2/82

II. FISCAL DETAIL

Agency Affected All agencies

Program Category Affected All, indirectly decreases General Fund reimb. to UI Trust Fund

BRU, Program, or Subprogram(s) Affected All indirectly

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)

FUNDING (Thousands of Dollars)

GENERAL FUND	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions:

1. Alaska will trigger off EB 5 months each year beginning Sept. 1982.
2. 30% of remaining EB weeks claimed after 1981 conforming legislation will be saved by triggering off.
3. Remaining EB payments plus all regular payments will increase by 1.9% because of increase in maximum WBA to \$156.
4. New WBA schedule effective 1/1/83. Only half of effect felt in FY 1983.
5. Approximately 26 former state employees will be covered by the new Section 8 Alaska Additional benefits for claimants denied EB because of the new 40XWBA conformity rule. 4/2/82

IV. DATE

4/2/82

PREPARED BY Nicolas W. Bus

AGENCY Department of Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill #757 (L & C)
 Title "An Act relating to unemployment insurance and providing for an . . ."
 Requested by Labor and Commerce Date 4/2/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Employment Security

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	94.1	103.5	113.6	125.2	137.8
200 TRAVEL		-	-	-	-	-
300 CONTRACTUAL	10.0	63.3	24.3	26.7	29.4	32.3
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	10.0	160.4	131.1	143.9	158.6	174.5

FUNDING (Thousands of Dollars)

GENERAL FUND	5.0	25.0	0	0	0	0
FEDERAL FUNDS	5.0	135.4	131.1	143.9	158.6	174.5
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The proposed amendments to AS 23.20.350, to increase benefit amount, will require additional programming services. Proposed AS 23.20.401, dealing with interception of UI benefits to pay child support obligations, will require expenditures for programming and forms, and one-half of a position state-wide, explaining program to claimants and dealing procedures with child support enforcement staff.

Contractual programming expenditures for the State Supplemental Benefit system, child support interception and the increase in UI benefit amount are based on an estimated 1,280 man-hours of programming time at \$40 per hour. (\$10 - FY '82, \$41.2 - FY '83)

The proposed amendment to AS 23.20.353, to implement a Supplemental State Benefit system will require state funds for data processing development costs and two and a half existing positions statewide for processing SSB claims. Assumes that the three positions will be existing positions

IV. DATE 4/1/82 PREPARED BY Nico Bus
 AGENCY Labor
 PHONE 465-2720

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Introduced: 2/11/82
Referred: Labor & Commerce and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 757

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

9 * Section 1. AS 23.20.110 is amended by adding new subsections to read:

10 (f) On request of the United States Department of Agriculture or
11 an agency of this or another state which administers the food stamp
12 program established by 7 U.S.C. secs. 2011 -- 2026, and if that agency
13 has agreed that information provided by the department will be used only
14 to determine an individual's eligibility for food stamp benefits or the
15 amount of the benefits, the department shall provide, for each indivi-
16 dual named by the requesting agency, any of the following information
17 contained in the records of the department:

18 (1) wage information;

19 (2) the information specified in (c) of this section; and

20 (3) the amount of unemployment compensation, if any, to be
21 received.

22 (g) The requirements of this section concerning the confidential-
23 ity of information obtained in the course of administering this chapter
24 apply to officers and employees of a state or federal agency to whom
25 the department provides information as authorized by this section.

26 * Sec. 2. AS 23.20.115 is amended to read:

27 Sec. 23.20.115. UNAUTHORIZED DISCLOSURE OF INFORMATION. A member
28 of the department, an employee of the department, [OR] an agent of the
29 department, or an officer or employee of a state or federal agency which

1 has been provided with information by the department who, in violation
2 of AS 23.20.110, makes a disclosure of information obtained from an
3 employing unit or from an individual in the administration of AS 23.-
4 20.005 -- 23.20.535, or a person who has obtained a list of applicants
5 for work or of claimants or recipients of benefits under this chapter
6 and who uses or permits the use of the list for a purpose not authorized
7 by AS 23.20.110 is guilty of a class B misdemeanor.

8 * Sec. 3. AS 23.20.165(e) is amended to read:

9 (e) An employer shall maintain a record of the amount deducted
10 from the wages of each employee and shall furnish a statement of the
11 deductions to each employee at the times and in the manner the depart-
12 ment prescribes by regulation. No deduction may be made from those
13 wages paid to an employee during a calendar year which are in excess of
14 the wages subject to contributions under AS 23.20.175. If an employee
15 in the employ of two or more employers earns wages in one calendar year
16 totaling more than the wages subject to contributions or if an employer
17 through error makes a deduction and erroneously pays contributions [OR
18 INTEREST] on wages of an employee in excess of the wages subject to
19 contributions during a calendar year, the amount of deductions in excess
20 of those required by AS 23.20.005 -- 23.20.535 [MAY BE REQUESTED BY THE
21 EMPLOYEE. EMPLOYEE DEDUCTIONS IN EXCESS OF THE WAGES SUBJECT TO CONTRI-
22 BUTIONS] shall be refunded to the employee by the department upon appli-
23 cation for them in accordance with regulations adopted by the depart-
24 ment. Application must be made during the calendar year after the
25 calendar year in which the deductions are made.

26 * Sec. 4. AS 23.20.290(c) is amended to read:

27 (c) Beginning January 1, 1981, the rate of contributions for each
28 employer is 82 percent of the average benefit cost rate multiplied by
29 the employer's experience factor set out in column C of the table in

1 this subsection opposite his applicable rate class set out in column A
 2 plus the fund solvency contribution required under (f) of this section.
 3 However, the rate of contributions for an employer may not be less than
 4 one percent or more than six and one-half percent. The rate of contri-
 5 butions for an employer must be rounded to the nearest one-hundredth of
 6 one percent.

7 COLUMN A	8 COLUMN B		9 COLUMN C
10 Rate Class	11 Cumulative		12 Experience
	13 Ratable Payroll		14 Factor
	15 at least	16 but less than	
	17 (percent)	18 (percent)	
12 1		5	.40
13 2	5	10	.45
14 3	10	15	.50
15 4	15	20	.55
16 5	20	25	.60
17 6	25	30	.65
18 7	30	35	.70
19 8	35	40	.80
20 9	40	45	.90
21 10	45	50	1.00
22 11	50	55	1.00
23 12	55	60	1.10
24 13	60	65	1.20
25 14	65	70	1.30
26 15	70	75	1.35
27 16	75	80	1.40
28 17	80	85	1.45
29 18	85	90	1.50

1 19 90 95 1.55

2 20 95 [100] 1.60

3 * Sec. 5. AS 23.20.340(d) is amended to read:

4 (d) Unless the claimant is determined to be disqualified for
5 benefits under AS 23.20.360, 23.20.362, 23.20.375, 23.20.378 -- 23.20.-
6 387, or 23.20.505, benefits shall be promptly paid in accordance with
7 the initial determination or subsequent redetermination.

8 * Sec. 6. AS 23.20.340(f) is amended to read:

9 (f) If a determination of disqualification under AS 23.20.360, 23.-
10 20.362, 23.20.375, 23.20.378 -- 23.20.387, or 23.20.505 is made, the
11 claimant and other interested parties, as defined by regulations of the
12 department, shall be promptly notified of the determination and the
13 reasons for it. The claimant and other interested parties may appeal
14 the determination in the same manner prescribed in AS 23.20.005 --
15 23.20.535 for appeals of initial determinations and redeterminations.
16 Benefits may not be paid while a determination is being appealed for any
17 week for which the determination of disqualification was made. However,
18 if a decision on the appeal allows benefits to the claimant, those
19 benefits must be paid promptly.

20 * Sec. 7. AS 23.20.350(d) is repealed and reenacted to read:

21 (d) An individual who is eligible under (a) of this section is
22 entitled to receive the weekly benefit amount set out in column (B) of
23 the table in this subsection which is opposite the amount set out in
24 column (A) of the individual's base period wages determined under (c) of
25 this section:

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

1	1,000	1,250	34
2	1,250	1,500	36
3	1,500	1,750	38
4	1,750	2,000	40
5	2,000	2,250	42
6	2,250	2,500	44
7	2,500	2,750	46
8	2,750	3,000	48
9	3,000	3,250	50
10	3,250	3,500	52
11	3,500	3,750	54
12	3,750	4,000	56
13	4,000	4,250	58
14	4,250	4,500	60
15	4,500	4,750	62
16	4,750	5,000	64
17	5,000	5,250	66
18	5,250	5,500	68
19	5,500	5,750	70
20	5,750	6,000	72
21	6,000	6,250	74
22	6,250	6,500	76
23	6,500	6,750	78
24	6,750	7,000	80
25	7,000	7,250	82
26	7,250	7,500	84
27	7,500	7,750	86
28	7,750	8,000	88
29	8,000	8,250	90

1	8,250	8,500	92
2	8,500	8,750	94
3	8,750	9,000	96
4	9,000	9,250	98
5	9,250	9,500	100
6	9,500	9,750	102
7	9,750	10,000	104
8	10,000	10,250	106
9	10,250	10,500	108
10	10,500	10,750	110
11	10,750	11,000	112
12	11,000	11,250	114
13	11,250	11,500	116
14	11,500	11,750	118
15	11,750	12,000	120
16	12,000	12,250	122
17	12,250	12,500	124
18	12,500	12,750	126
19	12,750	13,000	128
20	13,000	13,250	130
21	13,250	13,500	132
22	13,500	13,750	134
23	13,750	14,000	136
24	14,000	14,250	138
25	14,250	14,500	140
26	14,500	14,750	142
27	14,750	15,000	144
28	15,000	15,200	146
29	15,200	15,400	148

1	15,400	15,600	150
2	15,600	15,800	152
3	15,800	16,000	154
4	16,000	16,200	156
5	16,200	16,400	158
6	16,400	16,600	160
7	16,600	16,800	162
8	16,800	17,000	164
9	17,000		166

10 * Sec. 8. AS 23.20.350(e) is repealed and reenacted to read:

11 (e) An individual who is eligible under (d) of this section is
 12 entitled to receive a weekly benefit under AS 23.20.005 -- 23.20.535 for
 13 the number of weeks set out in column (B) of the table in this subsec-
 14 tion opposite the applicable earnings ratio of the individual set out in
 15 column (A):

(A)		(B)
Earnings Ratio		Number of Weeks
At least	But less than	
	1.50	18
1.50	2.00	20
2.00	2.50	22
2.50	3.00	24
3.00		26

24 * Sec. 9. AS 23.20.360 is repealed and reenacted to read:

25 Sec. 23.20.360. EARNINGS DEDUCTED FROM WEEKLY BENEFIT AMOUNT. The
 26 amount of benefits, excluding the allowance for dependents, payable to
 27 an insured worker for a week of his unemployment shall be reduced by 75
 28 percent of the wages payable to him for that week which are in excess of
 29 \$50. However, the amount of benefits may not be reduced below zero. If

1 the benefit is not a multiple of \$1, it is computed to the next higher
2 multiple of \$1. If the benefit is zero, no allowance for dependents is
3 payable.

4 * Sec. 10. AS 23.20.375(a) is amended to read:

5 (a) An insured worker is entitled to receive waiting-week credit
6 or benefits for a week of unemployment for which he has not been disqual-
7 ified under AS 23.20.360, 23.20.362, 23.20.378 -- 23.20.387, or 23.20.-
8 505 if, in accordance with regulations adopted by the department, he has

9 (1) made an initial claim for benefits; and

10 (2) for that week, certified for waiting-week credit or made
11 a claim for benefits.

12 * Sec. 11. AS 23.20.378(a) is amended to read:

13 (a) An insured worker is entitled to receive waiting-week credit
14 or benefits for a week of his unemployment if for that week he is able
15 to work and available for suitable work. An insured worker is not con-
16 sidered available for work unless he is registered for work in accor-
17 dance with regulations adopted by the department. An insured worker may
18 not be disqualified for failure to comply with this subsection if

19 (1) he is not available for work because

20 (A) he is ill or disabled;

21 (B) [(2) HE IS NOT AVAILABLE FOR WORK BECAUSE] he is
22 traveling to obtain medical services which are not available in the
23 area in which he resides, or if a physician determines it is neces-
24 sary, he is accompanying [NOT AVAILABLE FOR WORK BECAUSE HE MUST
25 ACCOMPANY] a spouse or dependent who is traveling to obtain medical
26 services;

27 (C) [(3)] he resides in the state and is noncommercially
28 [NOT AVAILABLE FOR WORK BECAUSE OF HIS NONCOMMERCIAL] hunting or
29 fishing [NECESSARY] for his survival or the survival of his de-

pendents; or

(D) [(4) HE IS NOT AVAILABLE FOR WORK BECAUSE] he is serving as a prospective or impaneled juror in a court; and [OR] (2) [(5)] a condition described in (1)(A) -- (C) [, (2), OR (3)] of this subsection occurs during an uninterrupted period of unemployment immediately following a week for which he has filed a compensable claim, and work has not been offered to him which would have been suitable for him before the illness, disability, hunting, fishing or medical travel.

* Sec. 12. AS 23.20.381 is amended by adding a new subsection to read:

(g) An individual may not receive benefits under this chapter in two successive benefit years unless

(1) he has performed services, whether or not in "employment" as defined in AS 23.20.525, after the beginning of the first benefit year; and

(2) he has earned wages for those services equal to at least eight times his weekly benefit amount, excluding an allowance for dependents.

* Sec. 13. AS 23.20.382 is amended to read:

Sec. 23.20.382. BENEFITS WHILE ATTENDING APPROVED VOCATIONAL TRAINING COURSE. (a) Benefits or waiting-week credit for any week shall not be denied an otherwise eligible individual because he is attending a vocational training or retraining course with the approval of the director of the employment security division or because, while attending the course, he is not available for work or refuses an offer of work.

(b) An otherwise eligible individual shall not be denied benefits or waiting-week credit for any week because

(1) he is in training approved under Section 236(a)(1) of

1 the Trade Act of 1974;

2 (2) he left work which was not suitable employment to enter
3 the training; or

4 (3) while attending the training, he is not available for
5 work, fails to seek work, or refuses work.

6 (c) For purposes of (b)(2) of this section, "suitable employment"
7 means work which

8 (1) pays at least 80 percent of the individual's average
9 weekly wage, as determined for the purposes of the Trade Act of 1974;
10 and

11 (2) is at least equal in skill level to the individual's
12 past adversely affected employment, as defined for purposes of the
13 Trade Act of 1974.

14 * Sec. 14. AS 23.20.383(b) is amended to read:

15 (b) This section does not apply if the department finds that

16 (1) the [AN] insured worker was not participating in or
17 directly interested in the labor dispute which caused his unemploy-
18 ment, and [;(2)] he did not belong to a grade or class of workers which,
19 immediately before the commencement of the dispute, had members employed
20 at the premises at which the labor dispute occurred who were participat-
21 ing in or directly interested in the labor dispute; or [AND]

22 (2) [(3)] the labor dispute is caused by the failure or re-
23 fusal of the employer to comply with an agreement or contract between
24 the employer and the insured worker, or a state or federal law per-
25 taining to hours, wages or other conditions of work.

26 * Sec. 15. AS 23.20.390(e) is amended to read:

27 (e) An appeal from the determination of liability under this
28 section may be made in the same manner and to the same extent as pro-
29 vided by AS 23.20.340 and 23.20.410 -- 23.20.470 for an appeal relating

1 to a determination in respect to a claim for benefits. If no appeal is
2 taken to the appeal tribunal by the individual within 15 [10] days of
3 the delivery of the notice of determination of liability, or within 15
4 [10] days of the mailing of the notice of determination, whichever is
5 earlier, the determination of liability is final and the court shall,
6 upon application of the department, enter a judgment in the amount
7 provided by the notice of determination. The judgment has the same
8 effect as a judgment entered in a civil action.

9 * Sec. 16. AS 23.20 is amended by adding a new section to read:

10 Sec. 23.20.392. DEDUCTIONS FROM BACK PAY AWARDS. An employer who
11 makes a deduction from a back pay award to an insured worker because of
12 the insured worker's receipt of benefits under AS 23.20.005 -- 23.20.535
13 for which he is ineligible by reason of the back pay award, shall pay
14 into the unemployment trust fund an amount equal to the amount of the
15 deduction. If an employer making a payment under this section has
16 already reimbursed the department for the benefits under AS 23.20.276 --
17 23.20.277, his account shall be properly credited. The insured worker's
18 liability under AS 23.20.390 shall be reduced by the amount paid by his
19 employer under this section.

20 * Sec. 17. AS 23.20 is amended by adding a new section to read:

21 Sec. 23.20.401. CHILD SUPPORT INTERCEPTION. (a) Notwithstanding
22 any other provision of AS 23.20.005 -- 23.20.535, an individual filing a
23 new claim for unemployment compensation must disclose whether he owes
24 child support obligations as defined in (g) of this section. If the
25 individual discloses that he owes child support obligations and is
26 determined to be eligible for unemployment compensation, the department
27 shall notify the child support enforcement agency of the Alaska Depart-
28 ment of Revenue that the individual has been determined to be eligible
29 for unemployment compensation.

1 (b) The department shall deduct and withhold from unemployment com-
2 pensation payable to an individual who owes child support obligations as
3 defined in (g) of this section

4 (1) the amount specified by the individual to the department
5 to be deducted and withheld under this subsection, if neither (2) nor
6 (3) of this subsection is applicable;

7 (2) the amount specified in an agreement submitted to the de-
8 partment under section 454(20)(B)(i) of the Social Security Act (42 -
9 U.S.C. sec. 654(20)(B)(i)) by the child support enforcement agency of the
10 Alaska Department of Revenue, unless (3) of this subsection is applica-
11 ble; or

12 (3) any amount required to be deducted and withheld through
13 legal process, as defined in section 462(e) of the Social Security Act
14 (42 U.S.C. sec. 662(e)), properly served upon the department.

15 (c) The department shall pay an amount deducted and withheld under
16 (b) of this section to the child support enforcement agency of the
17 Alaska Department of Revenue.

18 (d) An amount deducted and withheld under (b) of this section
19 shall for all purposes be treated as if it were paid to the individual
20 as unemployment compensation and paid by that individual to the child
21 support enforcement agency of the Alaska Department of Revenue in satis-
22 faction of the individual's child support obligations.

23 (e) In (a) -- (d) of this section, "unemployment compensation"
24 means compensation payable under AS 23.20.005 -- 23.20.535, including
25 amounts payable under an agreement under a federal law providing for
26 compensation, assistance, or allowances with respect to unemployment.

27 (f) This section applies only if appropriate arrangements have
28 been made for reimbursement by the child support enforcement agency of
29 the Alaska Department of Revenue for the administrative costs incurred

1 by the department under this section.

2 (g) In this section, "child support obligations" includes only
3 obligations which are being enforced under a plan, described in section
4 454 of the Social Security Act, (42 U.S.C. sec. 654) which has been
5 approved by the United States Secretary of Health and Human Services
6 under Part D of Title IV of the Social Security Act.

7 * Sec. 18. AS 23.20.406 is amended by adding a new subsection to read:

8 (j) Notwithstanding (a) and (b) of this section, an individual is
9 not eligible for extended benefits unless, in the base period determined
10 with respect to his applicable benefit year, the individual has been
11 paid, for employment covered by AS 23.20.005 -- 23.20.535, total wages
12 which equal or exceed 40 times the weekly benefit amount, excluding any
13 allowance for dependents, which is payable to him during his applicable
14 benefit year.

15 * Sec. 19. AS 23.20.407 is amended by adding a new subsection to read:

16 (c) Notwithstanding any other provision of AS 23.20.005 -- 23.-
17 20.535, if the benefit year of an individual ends within an extended
18 benefit period, the remaining balance of extended benefits which the
19 individual would, but for this section, be entitled to receive in the
20 extended benefit period, with respect to weeks of unemployment beginning
21 after the end of the benefit year, shall be reduced by the number of
22 weeks for which the individual received an amount as a trade readjust-
23 ment allowance within the benefit year multiplied by the individual's
24 weekly benefit amount for extended benefits. However, the extended
25 benefits may not be reduced below zero.

26 * Sec. 20. AS 23.20.408(a) is amended to read:

27 (a) When an extended benefit period is to become effective in this
28 state as a result of a state [OR NATIONAL] "on" indicator, or an extend-
29 ed benefit period is to be terminated in this state as a result of

1 [EITHER] a state "off" indicator [OR A NATIONAL "OFF" INDICATOR], the
2 department shall make an appropriate public announcement.

3 * Sec. 21. AS 23.20.408(f) is amended to read:

4 (f) There is a state "on" indicator for a week if the rate of in-
5 sured unemployment under AS 23.20.005 -- 23.20.535 for the period con-
6 sisting of that week and the immediately preceding 12 weeks either:

7 (1) equaled or exceeded 120 percent of the average rate of in-
8 sured unemployment for the corresponding 13-week period in each of the pre-
9 ceding two calendar years and equaled or exceeded five [FOUR] percent; or

10 (2) equaled or exceeded six [FIVE] percent.

11 * Sec. 22. AS 23.20.408(g) is amended to read:

12 (g) There is a state "off" indicator for a week if, for that week
13 and the immediately preceding 12 weeks, the rate of insured unemployment
14 was either: (1) less than five [FOUR] percent; or (2) less than six
15 [FIVE] percent and was less than 120 percent of the average of the rates
16 of insured unemployment for the corresponding 13-week period in each of
17 the preceding two calendar years.

18 * Sec. 23. AS 23.20.408(h) is amended to read:

19 (h) In (f) and (g) of this section, "rate of insured unemployment"
20 means the percentage derived by dividing (1) the average weekly number
21 of individuals filing claims for regular compensation in this state for
22 weeks of unemployment with respect to the most recent 13 consecutive
23 week period, as determined by the department on the basis of its reports
24 to the United States Secretary of Labor, by (2) the average monthly
25 employment covered under AS 23.20.005 -- 23.20.535 for the first four of
26 the most recent six completed calendar quarters ending before the close
27 of that 13-week period. Computations required by this subsection shall
28 be made by the department in accordance with regulations prescribed by
29 the United States Secretary of Labor.

1 * Sec. 24. AS 23.20.409(1) is amended to read:

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

3 (A) begins with the third week after [WHICHEVER OF THE
4 FOLLOWING WEEKS OCCURS FIRST:

5 (i) A WEEK FOR WHICH THERE IS A NATIONAL "ON"
6 INDICATOR, OR

7 (ii) a week for which there is a state "on" in-
8 dicator; and

9 (B) ends with either of the following weeks, whichever
10 occurs later:

11 (i) the third week after the first week for which
12 there is [BOTH A NATIONAL "OFF" INDICATOR AND] a state "off"
13 indicator; or

14 (ii) the 13th consecutive week of that period;

15 * Sec. 25. AS 23.20.409 is amended by adding a new paragraph to read:

16 (6) "applicable benefit year" means, with respect to an
17 individual, the current benefit year if, at the time an initial claim
18 for extended benefits is filed, the individual has an unexpired benefit
19 year only in the state against which the claim is filed, or, in any
20 other case, the individual's most recent benefit year; the most recent
21 benefit year, for an individual who has unexpired benefit years in more
22 than one state when the initial claim for extended benefits is filed, is
23 the benefit year with the latest ending date or, if the benefit years
24 have the same ending date, the benefit year in which the latest contin-
25 ued claim for regular compensation was filed; no extended benefits are
26 payable under this section unless the "applicable benefit year" was a
27 benefit year established under AS 23.20.005 -- 23.20.535.

28 * Sec. 26. AS 23.20.505(a) is amended to read:

29 (a) An individual is considered "unemployed" in a week during

1 which he performs no services and for which no wages are [REMUNERATION
2 IS] payable to him, or in a week of less than full-time work if the
3 wages [REMUNERATION] payable to him for the week are less [IS NOT MORE]
4 than one and one-third times his weekly benefit amount, excluding the
5 allowance for dependents, plus \$50.

6 * Sec. 27. AS 23.20.520(26) is amended to read:

7 (26) "vocational training or retraining course" means a
8 course of vocational or technical training or retraining in schools or
9 classes, including but not limited to, field or laboratory work and
10 related remedial or academic instruction, which is conducted as a pro-
11 gram designed to prepare individuals for [ENTRY LEVEL] employment in
12 trades, skills or crafts; the term "vocational training or retraining
13 course" does not include a program of instruction for an individual,
14 including a transfer credit program of instruction given at a community
15 college, which is intended as credit for a degree from an institution of
16 higher education;

17 * Sec. 28. AS 23.20.520(24)(B) is amended to read:

18 (B) is legally authorized in the [THIS] state in which
19 it is located to provide a program of education beyond high school;
20 and

21 * Sec. 29. AS 23.20.526(a) is amended by adding a new paragraph to read:

22 (21) service performed as a prospective or impaneled juror in
23 a court.

24 * Sec. 30. AS 23.20.530(a) is amended to read:

25 (a) In this chapter, [UNLESS THE CONTEXT OTHERWISE REQUIRES,]
26 "wages" means all remuneration for service from whatever source, includ-
27 ing, but not limited to, insured work, noninsured work, self-employment,
28 casual labor or public service; commissions, [AND] bonuses, back pay and
29 the cash value of all remuneration in a medium other than cash shall be

1 treated as wages; gratuities customarily received by an individual in
2 the course of his service from persons other than his employing unit may
3 be treated as wages received from [FOR] his employing unit only to the
4 extent the individual reports the gratuities to his employing unit [;
5 BACK PAY AWARDED UNDER A STATUTE OF THIS STATE OR THE UNITED STATES
6 SHALL BE TREATED AS WAGES]. The reasonable cash value of remuneration
7 in a medium other than cash, and the reasonable amount of gratuities,
8 shall be estimated and determined in accordance with regulations pre-
9 scribed by the department; notwithstanding AS 23.20.350(a), [FOR THE
10 PURPOSE OF AN INITIAL DETERMINATION ONLY,] back-pay awards shall be
11 allocated to the weeks or quarters with respect to which the pay was
12 earned. If the remuneration of an individual is not based upon a fixed
13 period [OF DURATION] of time or if his wages are paid in irregular
14 intervals or in a manner which does not extend regularly over the period
15 of employment, [FOR THE PURPOSE OF AN INITIAL DETERMINATION ONLY,] the
16 wages shall be allocated to weeks or quarters [QUARTER] in accordance
17 with regulations prescribed by the department. The regulations shall,
18 so far as possible, produce results reasonably similar to those which
19 would prevail if the individual were paid his wages at regular inter-
20 vals.

21 * Sec. 31. AS 23.20.530(b) is amended by adding a new paragraph to read:
22 (13) compensation received for inactive service performed by
23 a member of the Alaska National Guard or Naval Militia.

24 * Sec. 32. AS 23.20.350(b), 23.20.408(d), 23.20.408(e), 23.20.505(b),
25 23.20.505(c), 23.20.530(b)(11), and 23.20.530(b)(12) are repealed.

26 * Sec. 33. Sections 7 and 8 of this Act apply to insured workers who
27 establish benefit years after December 31, 1982.

28 * Sec. 34. Sections 1, 2, 7, 8, and 33 of this Act take effect January 1,
29 1983.

1 * Sec. 35. Sections 17 -- 25 of this Act take effect September 26, 1982.

2 * Sec. 36. Sections 3 -- 6, 9 -- 16, and 26 -- 32 of this Act take effect

3 immediately in accordance with AS 01.10.070(c).

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Original sponsor: Rules/Governor

Offered: 4/5/82
Referred: Finance

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 757 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL.

6

For an Act entitled: "An Act relating to unemployment insurance; and provid-
7 ing for an effective date."

8

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

9

* Section 1. AS 23.20.110 is amended by adding new subsections to read:

10

(f) On request of the United States Department of Agriculture or
11 an agency of this or another state that administers the food stamp
12 program established by 7 U.S.C. secs. 2011 - 2026, and if that agency
13 has agreed that information provided by the department will be used only
14 to determine an individual's eligibility for food stamp benefits or the
15 amount of the benefits, the department shall provide, for each indivi-
16 dual named by the requesting agency, any of the following information
17 contained in the records of the department:

18

(1) wage and employer information;

19

(2) the information specified in (c) of this section; and

20

(3) the amount of unemployment compensation, if any, to be

21

received.

22

(g) The requirements of this section concerning the confidential-
23 ity of information obtained in the course of administering this chapter
24 apply to officers and employees of a state or federal agency to whom the
25 department provides information as authorized by this section.

26

* Sec. 2. AS 23.20.115 is amended to read:

27

Sec. 23.20.115. UNAUTHORIZED DISCLOSURE OF INFORMATION. A member
28 of the department, an employee of the department, [OR] an agent of the
29 department, or an officer or employee of a state or federal agency that

1 has been provided with information by the department who, in violation
2 of AS 3.20.110, makes a disclosure of information obtained from an
3 employing unit or from an individual in the administration of this
4 chapter, or a person who has obtained a list of applicants for work or of
5 claimants or recipients of benefits under this chapter and who uses or
6 permits the use of the list for a purpose not authorized by AS 23.20.110
7 is guilty of a class B misdemeanor.

8 * Sec. 3. AS 23.20.165(e) is amended to read:

9 (e) An employer shall maintain a record of the amount deducted
10 from the wages of each employee and shall furnish a statement of the
11 deductions to each employee at the times and in the manner the depart-
12 ment prescribes by regulation. No deduction may be made from those
13 wages paid to an employee during a calendar year which are in excess of
14 the wages subject to contributions under AS 23.20.175. If an employee
15 in the employ of two or more employers earns wages in one calendar year
16 totaling more than the wages subject to contributions or if an employer
17 through error makes a deduction and erroneously pays contributions [OR
18 INTEREST] on wages of an employee in excess of the wages subject to
19 contributions during a calendar year, the amount of deductions in excess
20 of those required by this chapter [MAY BE REQUESTED BY THE EMPLOYEE.
21 EMPLOYEE DEDUCTIONS IN EXCESS OF THE WAGES SUBJECT TO CONTRIBUTIONS]
22 shall be refunded to the employee by the department upon application for
23 them in accordance with regulations adopted by the department. Applica-
24 tion must be made during the calendar year after the calendar year in
25 which the deductions are made.

26 * Sec. 4. AS 23.20.290(c) is amended to read:

27 (c) Beginning January 1, 1981, the rate of contributions for each
28 employer is 82 percent of the average benefit cost rate multiplied by
29 the employer's experience factor set out in column C of the table in

1 this subsection opposite his applicable rate class set out in column A
 2 plus the fund solvency contribution required under (f) of this section.
 3 However, the rate of contributions for an employer may not be less than
 4 one percent or more than six and one-half percent. The rate of contri-
 5 butions for an employer must be rounded to the nearest one-hundredth of
 6 one percent.

	COLUMN A Rate Class	COLUMN B Cumulative Ratable Payroll		COLUMN C Experience Factor
		at least (percent)	but less than (percent)	
12	1		5	.40
13	2	5	10	.45
14	3	10	15	.50
15	4	15	20	.55
16	5	20	25	.60
17	6	25	30	.65
18	7	30	35	.70
19	8	35	40	.80
20	9	40	45	.90
21	10	45	50	1.00
22	11	50	55	1.00
23	12	55	60	1.10
24	13	60	65	1.20
25	14	65	70	1.30
26	15	70	75	1.35
27	16	75	80	1.40
28	17	80	85	1.45
29	18	85	90	1.50

1	19	90	95	1.55
2	20	95	[100]	1.60

3 * Sec. 5. AS 23.20.340(d) is amended to read:

4 (d) Unless the claimant is determined to be disqualified for
5 benefits under AS 23.20.360, 23.20.362, 23.20.375, 23.20.378 - 23.20.-
6 387, or 23.20.505, benefits shall be promptly paid in accordance with
7 the initial determination or subsequent redetermination.

8 * Sec. 6. AS 23.20.340(f) is amended to read:

9 (f) If a determination of disqualification under AS 23.20.360, 23.-
10 20.362, 23.20.375, 23.20.378 - 23.20.387, or 23.20.505 is made, the
11 claimant shall be promptly notified of the determination and the reasons
12 for it. The claimant and other interested parties as defined by regula-
13 tions of the department may appeal the determination in the same manner
14 prescribed in this chapter for appeals of initial determinations and
15 redeterminations. Benefits may not be paid while a determination is
16 being appealed for any week for which the determination of disqualifica-
17 tion was made. However, if a decision on the appeal allows benefits to
18 the claimant, those benefits must be paid promptly.

19 * Sec. 7. AS 23.20.350(d) is repealed and reenacted to read:

20 (d) An individual who is eligible under (a) of this section is
21 entitled to receive the weekly benefit amount set out in column (B) of
22 the table in this subsection which is opposite the amount set out in
23 column (A) of the individual's base period wages determined under (c) of
24 this section:

(A)		(B)
Base Period Wages		Weekly Benefit Amount
At least	But less than	
0	1,000	\$ 0
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		156

4 * Sec. 8. AS 23.20 is amended by adding a new section to read:

5 Sec. 23.20.353. SUPPLEMENTAL STATE BENEFITS. (a) An individual
6 is eligible to receive supplemental state benefits for a week in which

7 (1) he is an "exhaustee" as defined in AS 23.20.409(5);

8 (2) he has otherwise satisfied the requirements of this
9 chapter for the receipt of regular benefits; and

10 (3) he is ineligible for extended benefits solely because of
11 the provisions of AS 23.20.406(b)(1).

12 (b) Supplemental state benefits are paid in the same amounts, for
13 the same periods, and under the same conditions as extended benefits
14 under AS 23.20.406(a) - (k) and AS 23.20.407 - 23.20.409.

15 * Sec. 9. AS 23.20.360 is repealed and reenacted to read:

16 Sec. 23.20.360. EARNINGS DEDUCTED FROM WEEKLY BENEFIT AMOUNT. The
17 amount of benefits, excluding the allowance for dependents, payable to
18 an insured worker for a week of his unemployment shall be reduced by 75
19 percent of the wages payable to him for that week that are in excess of
20 \$50. However, the amount of benefits may not be reduced below zero. If
21 the benefit is not a multiple of \$1, it is computed to the next higher
22 multiple of \$1. If the benefit is zero, no allowance for dependents is
23 payable.

24 * Sec. 10. AS 23.20.375(a) is amended to read:

25 (a) An insured worker is entitled to receive waiting-week credit
26 or benefits for a week of unemployment for which he has not been dis-
27 qualified under AS 23.20.360, 23.20.362, 23.20.378 - 23.20.387, or
28 23.20.505 if, in accordance with regulations adopted by the department,
29 he has

1 (1) made an initial claim for benefits; and
2 (2) for that week, certified for waiting-week credit or made
3 a claim for benefits.

4 * Sec. 11. AS 23.20.378(a) is repealed and reenacted to read:

5 (a) An insured worker is entitled to receive waiting-week credit
6 or benefits for a week of his unemployment if for that week he is able
7 to work and available for suitable work. An insured worker is not con-
8 sidered available for work unless he is registered for work in accor-
9 dance with regulations adopted by the department. An insured worker may
10 not be disqualified for failure to comply with this subsection if

11 (1) he is not available for work because

12 (A) he is ill or disabled;

13 (B) he is traveling to obtain medical services that are
14 not available in the area in which he resides, or, if a physician
15 determines it is necessary, he is accompanying a spouse or dependent
16 who is traveling to obtain medical services;

17 (C) he resides in the state and is noncommercially
18 hunting or fishing for his survival or the survival of his de-
19 pendents; or

20 (D) he is serving as a prospective or impaneled juror in
21 a court; and

22 (2) a condition described in (1)(A) - (C) of this subsection
23 occurs during an uninterrupted period of unemployment immediately follow-
24 ing a week for which he has filed a compensable claim, and work has not
25 been offered to him that would have been suitable for him before the
26 illness, disability, hunting, fishing or medical travel.

27 * Sec. 12. AS 23.20.381 is amended by adding a new subsection to read:

28 (g) An individual may not receive benefits under this chapter in
29 two successive benefit years unless

1 (1) he has performed services, whether or not in "employment"
2 as defined in AS 23.20.525, after the beginning of the first benefit
3 year; and

4 (2) he has earned wages for those services equal to at least
5 eight times his weekly benefit amount, excluding an allowance for depen-
6 dents.

7 * Sec. 13. AS 23.20.382 is amended to read:

8 Sec. 23.20.382. BENEFITS WHILE ATTENDING APPROVED VOCATIONAL
9 TRAINING COURSE. (a) Benefits or waiting-week credit for any week
10 shall not be denied an otherwise eligible individual because he is
11 attending a vocational training or retraining course with the approval
12 of the director of the employment security division or because, while
13 attending the course, he is not available for work or refuses an offer
14 of work.

15 (b) An otherwise eligible individual shall not be denied bene-
16 fits or waiting-week credit for any week because

17 (1) he is in training approved under section 236(a)(1) of
18 the Trade Act of 1974;

19 (2) he left work that was not suitable employment to enter
20 the training; or

21 (3) while attending the training, he is not available for
22 work, fails to seek work, or refuses work.

23 (c) For purposes of (b)(2) of this section, "suitable employment"
24 means work that

25 (1) pays at least 80 percent of the individual's average
26 weekly wage, as determined for the purposes of the Trade Act of 1974;
27 and

28 (2) is at least equal in skill level to the individual's
29 past adversely affected employment, as defined for purposes of the

1 Trade Act of 1974.

2 * Sec. 14. AS 23.20.383(b) is repealed and reenacted to read:

3 (b) This section does not apply if the department finds that

4 (1) the insured worker was not participating in or directly
5 interested in the labor dispute that caused his unemployment, and he did
6 not belong to a grade or class of workers that, immediately before the
7 commencement of the dispute, had members employed at the premises at
8 which the labor dispute occurred who were participating in or directly
9 interested in the labor dispute; or

10 (2) the labor dispute is caused by the failure or refusal of
11 the employer to comply with an agreement or contract between the employer
12 and the insured worker, or a state or federal law pertaining to hours,
13 wages or other conditions of work.

14 * Sec. 15. AS 23.20.390(e) is amended to read:

15 (e) An appeal from the determination of liability under this
16 section may be made in the same manner and to the same extent as pro-
17 vided by AS 23.20.340 and 23.20.410 - 23.20.470 for an appeal relating
18 to a determination in respect to a claim for benefits. If no appeal is
19 taken to the appeal tribunal by the individual within 15 [10] days of
20 the delivery of the notice of determination of liability, or within 15
21 [10] days of the mailing of the notice of determination, whichever is
22 earlier, the determination of liability is final and the court shall,
23 upon application of the department, enter a judgment in the amount
24 provided by the notice of determination. The judgment has the same
25 effect as a judgment entered in a civil action.

26 * Sec. 16. AS 23.20 is amended by adding a new section to read:

27 Sec. 23.20.392. DEDUCTIONS FROM BACK PAY AWARDS. An employer who
28 makes a deduction from a back pay award to an insured worker because of
29 the insured worker's receipt of benefits under this chapter for which he

1 is ineligible by reason of the back pay award, shall pay into the un-
2 employment trust fund an amount equal to the amount of the deduction.
3 If an employer making a payment under this section has already reim-
4 bursed the department for the benefits under AS 23.20.276 - 23.20.277,
5 his account shall be properly credited. The insured worker's liability
6 under AS 23.20.390 shall be reduced by the amount paid by his employer
7 under this section.

8 * Sec. 17. AS 23.20 is amended by adding a new section to read:

9 Sec. 23.20.401. CHILD SUPPORT INTERCEPTION. (a) Notwithstanding
10 any other provision of this chapter, an individual filing a new claim
11 for unemployment compensation must disclose whether he owes child support
12 obligations as defined in (g) of this section. If the individual dis-
13 closes that he owes child support obligations and is determined to be
14 eligible for unemployment compensation, the department shall notify the
15 child support enforcement agency of the Alaska Department of Revenue
16 that the individual has been determined to be eligible for unemployment
17 compensation.

18 (b) The department shall deduct and withhold from unemployment
19 compensation payable to an individual who owes child support obligations
20 as defined in (g) of this section

21 (1) the amount specified by the individual to the department
22 to be deducted and withheld under this subsection, if neither (2) nor
23 (3) of this subsection is applicable;

24 (2) the amount specified in an agreement submitted to the
25 department under section 454(20)(B)(i) of the Social Security Act
26 (42 U.S.C. sec. 654(20)(B)(i)) by the child support enforcement agency
27 of the Alaska Department of Revenue, unless (3) of this subsection is
28 applicable; or

29 (3) any amount required to be deducted and withheld through

1 legal process, as defined in section 462(e) of the Social Security Act
2 (42 U.S.C. sec. 662(e)), properly served upon the department.

3 (c) The department shall pay an amount deducted and withheld under
4 (b) of this section to the child support enforcement agency of the
5 Alaska Department of Revenue.

6 (d) An amount deducted and withheld under (b) of this section
7 shall for all purposes be treated as if it were paid to the individual
8 as unemployment compensation and paid by that individual to the child
9 support enforcement agency of the Alaska Department of Revenue in satis-
10 fication of the individual's child support obligations.

11 (e) In (a) - (d) of this section, "unemployment compensation"
12 means compensation payable under this chapter, including amounts payable
13 under an agreement under a federal law providing for compensation,
14 assistance, or allowances with respect to unemployment.

15 (f) This section applies only if appropriate arrangements have
16 been made for reimbursement by the child support enforcement agency of
17 the Alaska Department of Revenue for the administrative costs incurred
18 by the department under this section.

19 (g) In this section, "child support obligations" includes only
20 obligations that are being enforced under a plan described in section 454
21 of the Social Security Act (42 U.S.C. sec. 654), which has been approved
22 by the United States Secretary of Health and Human Services under Part D
23 of Title IV of the Social Security Act.

24 * Sec. 18. AS 23.20.406 is amended by adding a new subsection to read:

25 (1) Notwithstanding (a) and (b) of this section, an individual is
26 not eligible for extended benefits unless, in the base period determined
27 with respect to his applicable benefit year, the individual has been
28 paid, for employment covered by this chapter, total wages that equal or
29 exceed 40 times the weekly benefit amount, including any allowance for

1 dependents, which is payable to him during his applicable benefit year.

2 * Sec. 19. AS 23.20.407 is amended by adding a new subsection to read:

3 (c) Notwithstanding any other provision of this chapter, if the
4 benefit year of an individual ends within an extended benefit period,
5 the remaining balance of extended benefits that the individual would,
6 but for this section, be entitled to receive in the extended benefit
7 period, with respect to weeks of unemployment beginning after the end of
8 the benefit year, shall be reduced by the number of weeks for which the
9 individual received an amount as a trade readjustment allowance within
10 the benefit year multiplied by the individual's weekly benefit amount
11 for extended benefits. However, the extended benefits may not be reduced
12 below zero.

13 * Sec. 20. AS 23.20.408(a) is amended to read:

14 (a) When an extended benefit period is to become effective in this
15 state as a result of a state [OR NATIONAL] "on" indicator, or an extend-
16 ed benefit period is to be terminated in this state as a result of
17 [EITHER] a state "off" indicator [OR A NATIONAL "OFF" INDICATOR], the
18 department shall make an appropriate public announcement.

19 * Sec. 21. AS 23.20.408(f) is amended to read:

20 (f) There is a state "on" indicator for a week if the rate of in-
21 sured unemployment under this chapter for the period consisting of that
22 week and the immediately preceding 12 weeks either:

23 (1) equaled or exceeded 120 percent of the average rate of
24 insured unemployment for the corresponding 13-week period in each of the
25 preceding two calendar years and equaled or exceeded five [FOUR] percent;
26 or

27 (2) equaled or exceeded six [FIVE] percent.

28 * Sec. 22. AS 23.20.408(g) is amended to read:

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

1 and the immediately preceding 12 weeks, the rate of insured unemployment
2 was either: (1) less than five [FOUR] percent; or (2) less than six
3 [FIVE] percent and was less than 120 percent of the average of the rates
4 of insured unemployment for the corresponding 13-week period in each of
5 the preceding two calendar years.

6 * Sec. 23. AS 23.20.408(h) is amended to read:

7 (h) In (f) and (g) of this section, "rate of insured unemployment"
8 means the percentage derived by dividing (1) the average weekly number
9 of individuals filing claims for regular compensation in this state for
10 weeks of unemployment with respect to the most recent 13 consecutive
11 week period, as determined by the department on the basis of its reports
12 to the United States Secretary of Labor, by (2) the average monthly
13 employment covered under this chapter for the first four of the most
14 recent six completed calendar quarters ending before the close of that
15 13-week period. Computations required by this subsection shall be made
16 by the department in accordance with regulations prescribed by the
17 United States Secretary of Labor.

18 * Sec. 24. AS 23.20.409(1) is amended to read:

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

20 (A) begins with the third week after [WHICHEVER OF THE
21 FOLLOWING WEEKS OCCURS FIRST:

22 (i) A WEEK FOR WHICH THERE IS A NATIONAL "ON"
23 INDICATOR, OR

24 (ii)] a week for which there is a state "on" in-
25 dicator; and

26 (B) ends with either of the following weeks, whichever
27 occurs later:

28 (i) the third week after the first week for which
29 there is [BOTH A NATIONAL "OFF" INDICATOR AND] a state "off"

1 indicator; or

2 (ii) the 13th consecutive week of that period;

3 * Sec. 25. AS 23.20.409 is amended by adding a new paragraph to read:

4 (6) "applicable benefit year" means, with respect to an
5 individual, the current benefit year if, at the time an initial claim
6 for extended benefits is filed, the individual has an unexpired benefit
7 year only in the state against which the claim is filed, or, in any
8 other case, the individual's most recent benefit year; the most recent
9 benefit year, for an individual who has unexpired benefit years in more
10 than one state when the initial claim for extended benefits is filed, is
11 the benefit year with the latest ending date or, if the benefit years
12 have the same ending date, the benefit year in which the latest contin-
13 ued claim for regular compensation was filed; no extended benefits are
14 payable under this section unless the "applicable benefit year" was a
15 benefit year established under this chapter.

16 * Sec. 26. AS 23.20.505(a) is amended to read:

17 (a) An individual is considered "unemployed" in a week during
18 which he performs no services and for which no wages are [REMUNERATION
19 IS] payable to him, or in a week of less than full-time work if the
20 wages [REMUNERATION] payable to him for the week are less [IS NOT MORE]
21 than one and one-third times his weekly benefit amount, excluding the
22 allowance for dependents, plus \$50.

23 * Sec. 27. AS 23.20.520(24)(B) is amended to read:

24 (B) is legally authorized in the [THIS] state in which
25 it is located to provide a program of education beyond high school;
26 and

27 * Sec. 28. AS 23.20.520(26) is amended to read:

28 (26) "vocational training or retraining course" means a
29 course of vocational or technical training or retraining in schools or

1 classes, including but not limited to, field or laboratory work and
2 related remedial or academic instruction, which is conducted as a pro-
3 gram designed to prepare individuals for [ENTRY [LEVEL] employment in
4 trades, skills or crafts; the term "vocational training or retraining
5 course" does not include a program of instruction for an individual,
6 including a transfer credit program of instruction given at a community
7 college, which is intended as credit for a degree from an institution of
8 higher education;

9 * Sec. 29. AS 23.20.526(a) is amended by adding a new paragraph to read:

10 (21) service performed as a prospective or impaneled juror in
11 a court.

12 * Sec. 30. AS 23.20.530(a) is amended to read:

13 (a) In this chapter, [UNLESS THE CONTEXT OTHERWISE REQUIRES,]
14 "wages" means all remuneration for service from whatever source, includ-
15 ing, but not limited to, insured work, noninsured work, or self-employ-
16 ment; commissions, [AND] bonuses, back pay and the cash value of all
17 remuneration in a medium other than cash shall be treated as wages;
18 gratuities customarily received by an individual in the course of his
19 service from persons other than his employing unit may be treated as
20 wages received from [FOR] his employing unit only to the extent the
21 individual reports the gratuities to his employing unit [; BACK PAY
22 AWARDED UNDER A STATUTE OF THIS STATE OR THE UNITED STATES SHALL BE
23 TREATED AS WAGES]. The reasonable cash value of remuneration in a
24 medium other than cash, and the reasonable amount of gratuities, shall
25 be estimated and determined in accordance with regulations prescribed by
26 the department; notwithstanding AS 23.20.350(a), [FOR THE PURPOSES OF AN
27 INITIAL DETERMINATION ONLY,] back-pay awards shall be allocated to the
28 weeks or quarters with respect to which the pay was earned. If the
29 remuneration of an individual is not based upon a fixed period [OF

1 DURATION] of time or if his wages are paid in irregular intervals or in
2 a manner which does not extend regularly over the period of employment,
3 [FOR THE PURPOSE OF AN INITIAL DETERMINATION ONLY,] the wages shall be
4 allocated to weeks or quarters [QUARTER] in accordance with regulations
5 prescribed by the department. The regulations shall, so far as possible,
6 produce results reasonably similar to those which would prevail if the
7 individual were paid his wages at regular intervals.

8 * Sec. 31. AS 23.20.530(b) is amended by adding a new paragraph to read:

9 (13) compensation received for inactive service performed by a
10 member of the Alaska National Guard or Naval Militia.

11 * Sec. 32. AS 23.20.350(b), 23.20.408(d), 23.20.408(e), 23.20.505(b),
12 23.20.505(c), 23.20.530(b)(11), and 23.20.530(b)(12) are repealed.

13 * Sec. 33. Section 7 of this Act applies to insured workers who establish
14 benefit years after December 31, 1982.

15 * Sec. 34. Sections 1, 2, 7, and 33 of this Act take effect January 1,
16 1983.

17 * Sec. 35. Sections 8 and 17 - 25 of this Act take effect September 26,
18 1982.

19 * Sec. 36. Sections 3 - 6, 9 - 16, and 26 - 32 of this Act take effect
20 immediately in accordance with AS 01.10.070(c).

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POSITION PAPER

CS HOUSE BILL NO. 757 (LABOR AND COMMERCE COMMITTEE)

"An Act relating to unemployment insurance; and providing for an effective date."

The state is currently facing a 1.2 million dollar sanction due to a high error rate in the food stamp program during a six-month period. The total sanctions for subsequent periods may be as high as 3 to 4 million dollars. The primary identified cause of the over payments is client failure to correctly report changes in income.

Through the successful execution of specified corrective actions the state can avoid the sanction. This bill provides for the exchange of information between the Department of Health and Social Services and the Department of Labor for the purpose of administering the food stamp program. This is one of the corrective actions mandated by the Department of Agriculture and will permit verification of employment and wages in accordance with 7 CFR 273.2 f (4)(ii). This requirement is further mandated by the Food Stamp Act as amended by Public Law 97-98 Sec. 11(e)20 (December 22, 1981) which will be placed into Department of Agriculture Regulation.

The department is concerned solely with Section 1 (f) and (g) and supports their passage as written.

Passage of this bill will permit the administration of the food stamp program more along the lines of other states with lower error rates.

RECOMMENDED BY:

Rod Betit
Rod Betit, Director

DATE:

April 9, 1982

APPROVED BY:

Helen D. Beirne
Helen D. Beirne, Commissioner

DATE:

4-11-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 757

Title _____

Requested by Rod Betit

Date 4-9-82

II. FISCAL DETAIL

Agency Affected Health and Social Services; Labor

Program Category Affected Social Services, Division of Public Assistance

BRU, Program, Or Subprogram(s) Affected Food Stamps/PA Eligibility Determination

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The necessary information is already being collected and the exchange of that information is not expected to require an increased appropriation.

IV. DATE April 9, 1982

PREPARED BY Garth Patterson

AGENCY Public Assistance/Food Stamp Program

Original: Legislative Finance

PHONE 465-3360

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

JCC

POSITION PAPER

FOR HOUSE BILL NO. 757 (RULES COMMITTEE)

"An Act relating to unemployment insurance; and providing for an effective date."

The state is currently facing a 1.2 million dollar sanction due to a high error rate in the food stamp program. The primary identified cause of the over payments is client failure to correctly report changes in income.

This bill provides for the exchange of information between the Department of Health and Social Services and the Department of Labor for the purpose of administering the food stamp program. This is one of the corrective actions mandated by the Department of Agriculture and will permit verification of employment and wages in accordance with 7 CFR 273.2 f (4)(ii). This requirement is further mandated by the Food Stamp Act as amended by Public Law 97-98 Sec. 11(e)20 (December 22, 1981) which will be placed into Department of Agriculture Regulation.

The department is concerned solely with Section 1 (f) and (g) and supports their passage with one suggested change: for purposes of clarification, in paragraph (f)(1) after "wage" add the words "and employer". This will clarify any future question about whether the Department of Labor has the authority to release the source of the income or only the amount. Knowing the source of the wage is essential because income may be treated differently depending upon its source, also, follow-up verification may be required from the employer.

Passage of this bill will permit the administration of the food stamp program more along the lines of other states with lower error rates.

RECOMMENDED BY: Rod Betit
Rod Betit, Director

DATE: 2/23/82

APPROVED BY: Helen D. Beirne
Helen D. Beirne, Commissioner

DATE: 3-1-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 757
Title _____
Requested by Rod Betit Date 2-25-82

II. FISCAL DETAIL

Agency Affected Health and Social Services: Labor
Program Category Affected Social Services, Division of Public Assistance
BRU, Program, Or Subprogram(s) Affected Food Stamps/PA Eligibility Determination
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The necessary information is already being collected and the exchange of that information is not expected to require an increased appropriation.

IV. DATE February 25, 1982 PREPARED BY Garth Patterson
AGENCY Public Assistance/Food Stamp Program
Original: Legislative Finance PHONE 465-3360
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

CC

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill #757 (L & C)
 Title "An Act relating to unemployment insurance and providing for an . . ."
 Requested by Labor and Commerce Date 4/2/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Employment Security
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	94.1	103.5	113.6	125.2	131.8
200 TRAVEL		-	-	-	-	-
300 CONTRACTUAL	10.0	63.3	24.3	26.7	29.4	32.3
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	10.0	160.4	131.1	143.9	158.6	174.5

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	5.0	25.0	0	0	0	0
FEDERAL FUNDS	5.0	135.4	131.1	143.9	158.6	174.5
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The proposed amendments to AS 23.20.350, to increase benefit amount, will require additional programming services. Proposed AS 23.20.401, dealing with interception of UI benefits to pay child support obligations, will require expenditures for programming and forms, and one-half of a position state-wide, explaining program to claimants and dealing procedures with child support enforcement staff.

Contractual programming expenditures for the State Supplemental Benefit system, child support interception and the increase in UI benefit amount are based on an estimated 1,280 man-hours of programming time at \$40 per hour. (\$10 - FY '82, \$41.2 - FY '83)

The proposed amendment to AS 23.20.353, to implement a Supplemental State Benefit system will require state funds for data processing development costs and two and a half existing positions statewide for processing SSB claims. Assumes that the three positions will be existing positions.

IV. DATE 4/1/82 PREPARED BY Nico Bus
 AGENCY Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

GENERAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill 757 (L & C)

Title "An Act relating to Unemployment Insurance and providing for an ..."

Requested by House Labor and Commerce Committee Date 4/2/82

II. FISCAL DETAIL

Agency Affected All agencies

Program Category Affected All, indirectly decreases General Fund reimb. to UI Trust Fund BRU, Program, or Subprogram(s) Affected All indirectly

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)

FUNDING (Thousands of Dollars)

GENERAL FUND	0	(105.0)	(71.0)	(73.0)	(75.0)	(76.0)
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions:

- Alaska will trigger off EB 5 months each year beginning Sept. 1982.
- 30% of remaining EB weeks claimed after 1981 conforming legislation will be saved by triggering off.
- Remaining EB payments plus all regular payments will increase by 1.9% because of increase in maximum WBA to \$156.
- New WBA schedule effective 1/1/83. Only half of effect felt in FY 1983.
- Approximately 26 former state employees will be covered by the new Section 8 Alaska Additional benefits for claimants denied EB because of the new 40XWBA conformity rule. 4/2/82

IV. DATE 4/2/82 PREPARED BY Nicolaas W. Bus

AGENCY Department of Labor

Original: Legislative Finance

PHONE 465-2720

cc: Budget and Management

Prime Sponsor (First Legislator Named)



14B 757

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 11, 1982

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to unemployment insurance. This bill makes several significant changes to unemployment insurance law, as well as making numerous less significant changes which are considered necessary to effectuate legislative intent.

Congress' passage of the Omnibus Budget Reconciliation Act of 1981 and the Economic Recovery Tax Act of 1981 requires several changes in state law in order for the state to remain in conformity with federal requirements and to continue to receive federal money.

The bill requires the employment security division to share information regarding unemployment insurance claims with state or federal agencies which administer the food stamp program and requires those agencies to keep the information confidential.

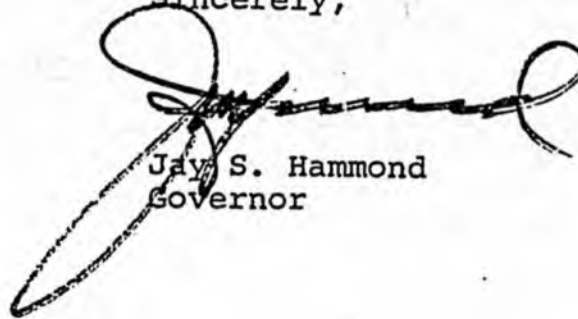
The bill requires the employment security division to withhold from payments of a claimant's benefits the amount the claimant owes for child support obligations and to pay that money to the child support enforcement agency.

The bill makes several changes regarding extended benefits which have the effect of both restricting the conditions generally under which extended benefits are payable and making more stringent the eligibility requirements for individuals wishing to receive extended benefits.

The bill prohibits disqualification of an individual while he or she attends training courses approved under the Trade Act of 1964. It also includes an increase in the unemployment insurance weekly benefit amount and changes in the duration of benefits.

In addition to the above amendments necessitated by recent federal enactments, the bill also makes other changes which the department considers necessary, including changes which correct some provisions, clarify provisions which are ambiguous, and make the statutes more uniform.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay S. Hammond". The signature is highly stylized with large loops and a long horizontal flourish extending to the right.

Jay S. Hammond
Governor