

HOUSE BILL NO. 338

INTRODUCED BY KEANE, COHENOUR, CYR, LASLOVICH, MUSGROVE, NEWMAN, WANZENRIED,  
WILSON

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE LENGTH OF TIME FOR WHICH AN INDIVIDUAL IS ELIGIBLE FOR UNEMPLOYMENT INSURANCE BENEFITS TO 28 WEEKS; REVISING THE RATIOS USED TO CALCULATE UNEMPLOYMENT INSURANCE CONTRIBUTION RATES; INCREASING THE MAXIMUM WEEKLY BENEFIT AMOUNT TO ~~66~~ 66.5 PERCENT OF THE AVERAGE WEEKLY WAGE; ~~PROVIDING THAT AN INDIVIDUAL WHO LEAVES WORK TO RELOCATE BECAUSE OF A SPOUSE'S EMPLOYMENT OUTSIDE THE EXISTING LABOR MARKET REMAINS ELIGIBLE TO RECEIVE BENEFITS;~~ AMENDING SECTIONS 39-51-1218, 39-51-2201, AND 39-51-2204, ~~AND 39-51-2302~~; MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

**Section 1.** Section 39-51-1218, MCA, is amended to read:

**"39-51-1218. Rate schedules.**

SCHEDULES OF CONTRIBUTION RATES - Part I

	Sched. I	Sched. II	Sched. III	Sched. IV
Minimum Ratio of Fund to Total Wages	<del>(.0260)</del> <u>(.0245)</u>	<del>(.0245)</del> <u>(.0225)</u>	<del>(.0225)</del> <u>(.0200)</u>	<del>(.0200)</del> <u>(.0170)</u>
Average Tax Rate	1.37	1.57	1.77	1.97
Rate Class	Contribution Rates for Eligible Employers			
1	0.00%	0.07%	0.27%	0.47%
2	0.07	0.27	0.47	0.67
3	0.27	0.47	0.67	0.87
4	0.47	0.67	0.87	1.07
5	0.67	0.87	1.07	1.27
6	0.87	1.07	1.27	1.47
7	1.07	1.27	1.47	1.67

8	1.27	1.47	1.67	1.87
9	1.47	1.67	1.87	2.07
10	1.67	1.87	2.07	2.27

Rate Class

Contribution Rates for Deficit Employers

1	3.17%	3.37%	3.57%	3.77%
2	3.37	3.57	3.77	3.97
3	3.57	3.77	3.97	4.17
4	3.77	3.97	4.17	4.37
5	3.97	4.17	4.37	4.57
6	4.17	4.37	4.57	4.77
7	4.37	4.57	4.77	4.97
8	4.57	4.77	4.97	5.17
9	4.77	4.97	5.17	5.37
10	6.37	6.37	6.37	6.37

SCHEDULES OF CONTRIBUTION RATES - Part II

Sched.	Sched.	Sched.	Sched.	Sched.	Sched.
V	VI	VII	VIII	IX	X
<del>(.0170)</del>	<del>(.0135)</del>	<del>(.0095)</del>	<del>(.0075)</del>	<del>(.0050)</del>	<del>(....)</del>
<u>(.0135)</u>	<u>(.0095)</u>	<u>(.00575)</u>	<u>(.0050)</u>	<u>(....)</u>	<u>(....)</u>
2.17	2.37	2.57	2.77	2.97	3.17

Contribution Rates for Eligible Employers

0.67%	0.87%	1.07%	1.27%	1.47%	1.67%
0.87	1.07	1.27	1.47	1.67	1.87
1.07	1.27	1.47	1.67	1.87	2.07
1.27	1.47	1.67	1.87	2.07	2.27
1.47	1.67	1.87	2.07	2.27	2.47
1.67	1.87	2.07	2.27	2.47	2.67
1.87	2.07	2.27	2.47	2.67	2.87
2.07	2.27	2.47	2.67	2.87	3.07
2.27	2.47	2.67	2.87	3.07	3.27
2.47	2.67	2.87	3.07	3.27	3.47

Contribution Rates for Deficit Employers

3.97%	4.17%	4.37%	4.57%	4.77%	4.97%
4.17	4.37	4.57	4.77	4.97	5.17
4.37	4.57	4.77	4.97	5.17	5.37
4.57	4.77	4.97	5.17	5.37	5.57
4.77	4.97	5.17	5.37	5.57	5.77
4.97	5.17	5.37	5.57	5.77	5.97
5.17	5.37	5.57	5.77	5.97	6.17
5.37	5.57	5.77	5.97	6.17	6.37
5.57	5.77	5.97	6.17	6.37	6.37
6.37	6.37	6.37	6.37	6.37	6.37"

**Section 2.** Section 39-51-2201, MCA, is amended to read:

**"39-51-2201. Weekly benefit amount -- determination of average weekly wage.** (1) An individual's weekly benefit amount must be an amount equal to 1% of the total base period wages or equal to 1.9% of the total wages paid in the 2 calendar quarters in which wages were the highest during the base period. The weekly benefit amount, if not a multiple of \$1, must be rounded to the nearest lower full dollar amount. However, the amount may not be less than the minimum or more than the maximum weekly benefit amount.

(2) On or before May 31 of each year, the total wages paid by all employers as reported on contribution reports submitted on or before that date for the preceding calendar year must be divided by the average monthly number of individuals employed during the same preceding calendar year as reported on the contribution reports. The amount obtained is the average annual wage. The average annual wage divided by 52, rounded to the nearest cent, is the average weekly wage. The maximum weekly benefit amount is ~~63%~~ 66% 66.5% of the average weekly wage and must be applied to all maximum weekly benefit amount claims for benefits filed to establish a benefit year commencing on or after July 1 of the same year. The maximum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount.

(3) The minimum weekly benefit amount must be 15% of the average weekly wage. The minimum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount."

**Section 3.** Section 39-51-2204, MCA, is amended to read:

**"39-51-2204. Maximum benefit amount.** Any otherwise eligible individual is entitled during the

individual's benefit year to a total amount of benefits equal to the individual's weekly benefit amount, as calculated according to 39-51-2201, times the number of full weeks of benefit entitlement appearing in the following table in the line which includes the individual's ratio of total base period earnings to the highest quarter of earnings in the base period:

Ratio of Total Base Period		Full Weeks of Benefits
At Least	But Less Than	
1.00	1.25	8
1.25	1.50	10
1.50	1.75	12
1.75	2.00	14
2.00	2.25	16
2.25	2.50	18
2.50	2.75	20
2.75	3.00	22
3.00	3.25	24
3.25	<del>3.50</del>	26
<u>3.50</u>	<u>.....</u>	<u>28</u> "

~~Section 4. Section 39-51-2302, MCA, is amended to read:~~

~~"39-51-2302. Disqualification for leaving work without good cause. (1) An individual must be disqualified for benefits if the individual has left work without good cause attributable to the individual's employment.~~

~~(2) The individual may not be disqualified if the individual leaves:~~

~~(a) employment because of personal illness or injury not associated with misconduct upon the advice of a licensed and practicing physician and, after recovering from the illness or injury when recovery is certified by a licensed and practicing physician, the individual returned to and offered service to the individual's employer and the individual's regular or comparable suitable work was not available, as determined by the department, provided the individual is otherwise eligible; or~~

~~(b) temporary work accepted during a period of unemployment caused by a lack of work with the individual's regular employer if upon leaving the temporary work the individual returned immediately to work for~~

~~the individual's regular employer, provided that the individual is unemployed for nondisqualifying reasons; or  
——— (c) to relocate for a spouse's employment that is located outside the existing labor market and beyond  
reasonable commuting distance and if the individual remained employed as long as was reasonable prior to the  
relocation. An employer's account may not be charged for benefits paid under this subsection (2)(c).~~

~~——— (3) To requalify for benefits, an individual shall perform services for which remuneration is received equal  
to or in excess of six times the individual's weekly benefit amount subsequent to the week in which the act  
causing the disqualification occurred unless the individual has been in regular attendance at an educational  
institution accredited by the state of Montana for at least 3 consecutive months from the date of the individual's  
enrollment. The services must constitute employment as defined in 39-51-203 and 39-51-204."~~

NEW SECTION. **Section 4. Effective date -- applicability.** [This act] is effective on passage and approval and applies to claims for benefits filed on or after October 1, 2003.

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