Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE BILL NO. 1091
(Industry, Business and Labor Committee)
(At the request of Job Service North Dakota)

AN ACT to amend and reenact subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to determination of weekly benefit amount for unemployment compensation purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 52-06-04 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. The procedures, provisions, and conditions of this section must determine the "weekly benefit amount" of those individuals who establish a benefit year ~~on and after July 1, 1973~~:

    a. For the purpose of this section, the bureau shall each year, on or before the first day of June, determine the average annual wage paid to insured workers and, from that determination, an "average weekly wage", by the following computation:

    The total wages reported on contribution reports for the preceding calendar year must be divided by the average monthly number of covered workers, whose number must be determined by dividing by twelve the total covered employment reported on contribution reports for the preceding calendar year, and the quotient obtained by dividing the total wages by the average monthly number of covered workers is the average annual wage; and such quotient must be divided by fifty-two and the amount thus obtained, rounded to the nearest cent, is the "average weekly wage".

    b. An individual's "weekly benefit amount" is one sixty-fifth (if not a multiple of one dollar, to be computed to the next lower multiple of one dollar) of the sum of:

    (1) The individual's total wages for insured work paid during the two quarters of the individual's base period in which the individual's wages were the highest; and

    (2) One-half of the individual's total wages for insured work paid during the third highest quarter in the individual's base period.

    However, if that amount is less than the "minimum weekly benefit amount" the individual is monetarily ineligible for benefits. The "minimum weekly benefit amount" is forty-three dollars. ~~For benefit years beginning after August 8, 1987, the~~ The "maximum weekly benefit amount" is ~~sixty~~ sixty-two percent of the "average weekly wage", rounded to the next lower multiple of one dollar if not a multiple of one dollar. However, if on October first of any calendar year ~~beginning with the calendar year 1989, the trust fund reserve is equal to or greater than the required amount, then as of July first of the next year, the maximum weekly benefit amount is sixty-two percent of the "average weekly wage", rounded to the next lower multiple of one dollar if not a multiple of one dollar. Further, if on October first of any calendar year beginning with the calendar year 1989, the trust fund reserve is equal to or greater than the required amount, and if~~ this state's average contribution rate is below the nationwide average for the preceding calendar year, ~~then~~ the maximum weekly benefit amount is sixty-five percent of the "average weekly wage", rounded to the next lower multiple of one dollar if not a multiple of one dollar. ~~The average contribution rate is determined on the basis of total contributions divided by total wages.~~

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1091.

House Vote: Yeas   97   Nays   0   Absent   1

Senate Vote: Yeas   45   Nays   0   Absent   4

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Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

_____
Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

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Secretary of State