

CHAPTER 61—S.F.No.472

[Coded]

An act relating to unemployment compensation, providing for a period of extended benefits; amending Minnesota Statutes 1969, Chapter 268, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Chapter 268, is amended by adding a section to read:

[268.071] UNEMPLOYMENT COMPENSATION; EXTENDED BENEFITS. Subdivision 1. DEFINITIONS. As used in this section, unless the context clearly requires otherwise:

(1) EXTENDED BENEFIT PERIOD. “Extended benefit period” means a period which

(a) Begins with the third week after whichever of the following weeks occurs first: A week for which there is a national “on” indicator, or a week for which there is a state “on” indicator; and

(b) Ends with either of the following weeks, whichever occurs later: The third week after the first week for which there is both a national “off” indicator and a state “off” indicator; or the 13th consecutive week of such period;

Provided, that no extended benefit period may begin by reason of a state “on” indicator before the 14th week following the end of a prior extended benefit period which was in effect with respect to this state; and

Provided further, that within the period beginning on the effective date of this act and ending on December 31, 1971, an extended benefit period may become effective and be terminated in this state solely by reason of a state “on” and a state “off” indicator, respectively.

(2) NATIONAL “ON” INDICATOR. There is a “national ‘on’ indicator” for a week if the U. S. secretary of labor determines that for each of the three most recent completed calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states equalled or exceeded four and one half percent.

(3) NATIONAL “OFF” INDICATOR. There is a “national ‘off’ indicator” for a week if the U. S. secretary of labor determines that for each of the three most recent completed calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states was less than four and one half percent.

(4) STATE “ON” INDICATOR. There is a “state ‘on’ indicator” for this state for a week if the commissioner determines, in

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accordance with the regulations of the U. S. secretary of labor, that for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment (not seasonally adjusted) under this law equaled or exceeded 120 percent of the average of such rates for the corresponding 13 week period ending in each of the preceding two calendar years, and equaled or exceeded four percent.

(5) STATE "OFF" INDICATOR. There is a "state 'off' indicator" for this state for a week if the commissioner determines, in accordance with the regulations of the U. S. secretary of labor, that for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment (not seasonally adjusted) under this law was less than 120 percent of the average of such rates for the corresponding 13 week period ending in each of the preceding two calendar years, or was less than four percent.

(6) RATE OF INSURED UNEMPLOYMENT. "Rate of insured unemployment," for purposes of clauses (4) and (5) of this subdivision, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent 13 consecutive week period, as determined by the commissioner on the basis of his reports to the U. S. secretary of labor, by the average monthly employment covered under this law for the first four of the most recent six completed calendar quarters ending before the end of such 13 week period.

(7) REGULAR BENEFITS. "Regular benefits" means benefits payable to an individual under this law or under any other state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits and additional benefits.

(8) EXTENDED BENEFITS. "Extended benefits" means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) payable to an individual under the provisions of this section for weeks of unemployment in his eligibility period.

(9) ADDITIONAL BENEFITS. "Additional benefits" means benefits payable to exhaustees by reason of conditions of high unemployment or by reason of other special factors under the provisions of section 268.07, subdivision 2 (3).

(10) ELIGIBILITY PERIOD. "Eligibility period" of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(11) EXHAUSTEE. "Exhaustee" means an individual who, with respect to any week of unemployment in his eligibility period:

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(a) Has received, prior to such week, all of the regular benefits that were available to him under this law or any other state law (including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his current benefit year that includes such week;

Provided, that, for the purposes of this paragraph, an individual shall be deemed to have received all of the regular benefits that were available to him although as a result of a pending appeal with respect to wage credits or credit weeks that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to added regular benefits; or

(b) His benefit year having expired prior to such week, has no, or insufficient, wages and/or employment on the basis of which he could establish a new benefit year that would include such week; and

(c) Has no right to unemployment benefits or allowances, as the case may be, under the railroad unemployment insurance act, the trade expansion act of 1962, the automotive products act of 1965 and such other federal laws as are specified in regulations issued by the U. S. secretary of labor; and has not received and is not seeking unemployment benefits under the unemployment compensation law of the Virgin Islands or of Canada; but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law he is considered an exhaustee.

(12) STATE LAW. "State law" means the unemployment insurance law of any state, approved by the U. S. secretary of labor under section 3304 of the internal revenue code of 1954.

Subd. 2. EFFECT OF STATE LAW PROVISIONS RELATING TO REGULAR BENEFITS ON CLAIMS FOR, AND THE PAYMENT OF, EXTENDED BENEFITS. Except when the result would be inconsistent with the other provisions of this section, as provided in the regulations of the commissioner, the provisions of Minnesota Statutes 1969, Chapter 268 which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

Subd. 3. ELIGIBILITY REQUIREMENTS FOR EXTENDED BENEFITS. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the commissioner finds that with respect to such week:

(1) He is an "exhaustee" as defined in subdivision 1 (11) of this section;

(2) He has satisfied the requirements of this law for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

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Subd. 4. WEEKLY EXTENDED BENEFIT AMOUNT. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount payable to him during his applicable benefit year.

Subd. 5. TOTAL EXTENDED BENEFIT AMOUNT. The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be 50 percent of the total amount of regular benefits which were payable to him under this law in his applicable benefit year.

Subd. 6. BEGINNING AND TERMINATION OF EXTENDED BENEFIT PERIOD. (1) Whenever an extended benefit period is to become effective in this state (or in all states) as a result of a state or a national "on" indicator, or an extended benefit period is to be terminated in this state as a result of a state "off" indicator and/or state and national "off" indicators, the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of subdivision 1 (6) shall be made by the commissioner, in accordance with regulations prescribed by the U. S. secretary of labor.

(3) Except as otherwise provided, benefits paid under this section shall not be charged to the employment experience record of an employer.

Approved March 18, 1971.

CHAPTER 62—H.F.No.10

An act relating to local governments; regulating the bonded debt of consolidated or otherwise altered local government units; amending Minnesota Statutes 1969, Section 414.067, Subdivision 2.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 414.067, Subdivision 2, is amended to read:

Subd. 2. **MUNICIPALITIES; CONSOLIDATION; BONDED DEBT.** When an entire township is annexed by an existing municipality, or an entire township is incorporated into a new municipality, or an entire township or municipality is consolidated into a new

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