

January 22, 1965. *Pass 2/3*
Industrial and Human Relations.

House File 42
By CAFFREY, GAUDINEER, WRIGHT,
VARNEY, BAKER and WENGERT.

Passed House, Date *3-11-65*

Passed Senate, Date *5/26*

Vote: Ayes *71* Nays *38*

Vote: Ayes *34* Nays *24*

Approved *June 2, 1965*

Referred to Ind & Human Relations 2/10

Passed on file 3/2

Referred on Calendar 2/11 Reconsider (Vote) 3/11

Industrial & Human Relations 3/15 motion to reconsider 5/11 (Schroeder + Mills amendments)

A BILL FOR

An Act to amend section ninety-six point three (96.3), subsection four (4) and five (5), Code 1962, as to the method of determining benefit amount and duration of benefits.

motion for reconsider tabled 5/26

referred 4/20

Be It Enacted by the General Assembly of the State of Iowa:

passed House as amended 5/27 (99-15)

This is a Companion Bill; for complete text see Senate File 22.

HOUSE FILE 42

- 1 Amend House File 42 as follows:
- 2 1. By deleting in line ten (10) of section (1) after the
- 3 word "computing" the words and figures "sixty-six and two-
- 4 thirds (66 2/3)" and inserting the word and figure "sixty (60)"
- 5 2. By adding a new section at the end of the bill to read as follows:
- 6 "Dependent Benefits. In addition to the benefits as provided
- 7 in section one (1), a benefit of two (2) dollars for each de-
- 8 pendent shall be paid, up to a maximum of four (4) dependents.
- 9 "Dependents for the purpose of this section shall mean an
- 10 employee's wife child or children or other persons recognized
- 11 under the then current Internal Revenue Code for establishing
- 12 the employee's withholding tax exemptions, but not an employed
- 13 spouse. Only those exemptions claimed by the employee filed
- 14 with his employer shall determine the number of dependents for
- 15 the purposes of this section."

Filed
February 22, 1965.

adopted as amended 3/11

ROBINSON of Audubon-Guthrie.
BRINCK of Lee.

EXPLANATION OF HOUSE FILE 42

This bill provides for a method of determining benefit amounts and duration of benefits.

HOUSE FILE 42

- 1 Amend the Robinson of Audubon-Guthrie, Brinck amendment to House
- 2 File 42 filed February 22, 1965, as follows:
- 3 1. By striking in line four (4), the word and figure "sixty
- 4 (60)" and inserting in lieu thereof the word and figure "fifty *age 55*
- 5 (50)". *May 66*
- 6 2. By striking in line twelve (12), the word "withholding", *2/23/10*
- 7 and inserting in lieu thereof the word "income".
- 8 3. By striking all in lines thirteen (13), fourteen (14),
- 9 and fifteen (15) following the period in line thirteen (13).

Filed
February 25, 1965.

REDFERN of Lee.

HOUSE FILE 42

- 1 Amend the Robinson-Brinck amendment to House File 42 filed *age 62*
- 2 February 22, 1965, as follows: *May 58*
- 3 1. By striking in line four (4), the word and figure "sixty
- 4 (60)" and inserting in lieu thereof the word and figure "fifty-
- 5 five (55)". *adopted 3/10*

Filed
March 9, 1965.

COHEN of Black Hawk.

HOUSE FILE 42

- 1 Amend the title to House File 42 by striking the period in
- 2 line three (3) and inserting in lieu thereof the words "for
- 3 employment compensation."

Filed and adopted
March 11, 1965.

CAFFREY of Polk.

HOUSE FILE 42

- 1 Amend the Robinson and Brinck amendment to House File 42,
- 2 filed February 22, 1965, as follows:
- 3 1. By striking in line seven (7) thereof the word and
- 4 figure "two (2)" and inserting in lieu thereof the word and
- 5 figure "three (3)".
- 6 2. By striking lines nine (9) through fifteen (15) and in-
- 7 serting in lieu thereof the following:
- 8 "For the purposes of this section the term "child"
- 9 means a natural child, stepchild or adopted child under eighteen
- 10 (18) years of age, and over said age if physically or mentally
- 11 incapacitated, of the individual who is providing, and for at
- 12 least ninety (90) consecutive days (or for the duration of the
- 13 parental relationship if it has existed for less than ninety
- 14 (90) days) immediately preceding the beginning date of such
- 15 individual's benefit year has provided more than one-half ($\frac{1}{2}$)
- 16 of the cost of supporting such child; provided, that no person
- 17 who has been determined to be a child of one (1) individual at
- 18 the beginning date of such individual's benefit year shall be
- 19 deemed to be a child of any other individual whose benefit
- 20 year starts within one (1) year thereafter.
- 21 "For the purposes of this section, the term "nonworking
- 22 spouse" means the lawful husband or wife of an individual claim-
- 23 ing benefits under this chapter, for whom more than one-half ($\frac{1}{2}$)
- 24 the cost of support has been supplied by such individual for
- 25 at least ninety (90) consecutive days (or for the duration of the
- 26 marital relationship if it has existed for less than ninety (90)
- 27 days) immediately preceding the beginning of such individual's
- 28 current benefit year, and who has no earnings in excess of
- 29 thirty dollars (\$30.00) per week, but only if such husband or
- 30 wife is currently ineligible to receive benefits under this
- 31 chapter by reason of such spouse's failure to meet the require-
- 32 ment set forth in subsection five (5) of section ninety-six
- 33 point four (96.4) as amended.
- 34 "For the purposes of this section the term "working spouse"
- 35 means the lawful husband or wife of an individual claiming bene-
- 36 fits under this chapter who earns in excess of thirty dollars
- 37 (\$30.00) per week, or who meets the requirements of subsection
- 38 five (5) of section ninety-six point four (96.4) as amended.

39 "An individual who is legally obligated to provide for the
40 support of a child or of a nonworking spouse for said period of
41 ninety (90) consecutive days, but was prevented from doing so
42 by illness or injury when such reason is certified to the
43 employer and the commission by a licensed and practicing
44 physician, shall be deemed to have provided more than one-half
45 of the cost of supporting such child or nonworking spouse
46 for such period.
47 "The family class to which an individual is assigned shall
48 be determined as of the day with respect to which he first files
49 a valid claim for benefits in any benefit year, and shall be
50 fixed for the duration of such benefit year. The individual's
51 statements with respect to his family status, made in connection
52 with the filing of such claim for benefits, shall be accepted
53 as establishing a prima facie showing thereof, subject, however,
54 to the penalties for fraud or false representation provided in
55 this chapter."

Filed
March 10, 1965.

WILSON of Black Hawk.
JACKSON of Black Hawk.
GALLAGHER of Black Hawk.
COHEN of Black Hawk.
UBAN of Black Hawk.

HOUSE FILE 42

1 Amend House File 42 by striking all after the enacting
2 clause and inserting in lieu thereof the following:
3 "Section 1. Section ninety-six point three (96.3), Code
4 1962, subsection four (4), is amended by striking from line
5 twelve (12), the following:

6	"\$44.00	\$1,072.51 and over
7	and substituting in lieu thereof, the following:	
8	"\$54.00	\$1,404.01 and over
9	53.00	1,378.01-1,404.00
10	52.00	1,352.01-1,378.00
11	51.00	1,300.01-1,352.00
12	50.00	1,274.01-1,300.00
13	49.00	1,227.51-1,274.00
14	48.00	1,192.51-1,227.50
15	47.00	1,162.51-1,192.50
16	46.00	1,321.51-1,162.50
17	45.00	1,102.51-1,132.50
18	44.00	1,072.51-1,102.50"

19 Also, by striking therefrom lines forty-seven (47) to
20 seventy-two (72) and substituting in lieu thereof, the following:

21 "Provided, however, that the weekly benefit amount payable
22 to any individual who is the principal support of the family for
23 any one (1) week shall not exceed:

- 24 Fifty-four dollars (\$54.00) if the individual has no spouse
25 or a non-working spouse and four (4) or more children;
 - 26 Forty-eight dollars (\$48.00) if the individual has no spouse
27 or a non-working spouse and three (3) children;
 - 28 Forty-four dollars (\$44.00) if the individual has no spouse
29 or a non-working spouse and two (2) children;
 - 30 Forty dollars (\$40.00) if the individual has no spouse
31 or a non-working spouse and one (1) child;
 - 32 Thirty-six dollars (\$36.00) if the individual has a non-
33 working spouse and no children;
 - 34 Forty-seven dollars (\$47.00) if the individual has a
35 working spouse and four (4) children;
 - 36 Forty-four dollars (\$44.00) if the individual has a working
37 spouse and three (3) children;
 - 38 Forty dollars (\$40.00) if the individual has a working
39 spouse and two (2) children;
 - 40 Thirty-seven dollars (\$37.00) if the individual has a
41 working spouse and one (1) child;
 - 42 Thirty-four dollars (\$34.00) if the individual is not
43 married or is married and has a working spouse and no children.
- 44 Provided, that the weekly benefit amount for any one (1)
45 week payable to an individual who is a working spouse and is
46 not the principal support of the family, shall not exceed
47 thirty dollars (\$30.00)."

48 Sec. 2. Section ninety-six point seven (96.7), Code 1962,
49 subsection three (3), is amended by inserting immediately after
50 paragraph c the following new paragraph d:

51 "d. Notwithstanding any other provisions of this chapter,
52 any employer employs individuals in the construction,
53 erection, demolition, alteration or repair of roads, highways,
54 bridges, buildings, factories, residences, earth-work, grading,
55 river work, or any other construction project, and who has not
56 qualified for an experience rating, shall pay the maximum rate
57 prescribed in paragraph e of this subsection, until such employer
58 has acquired an experienced rating entitling said employer to a
59 lesser rate of contribution."

60 Further amend said section by re-lettering present paragraph
61 d as paragraph e, and relettering alphabetically the following
62 lettered paragraphs. Also, wherever reference is made in this
63 chapter to said paragraphs according to their prior lettering,
64 said references are amended accordingly.

65 Sec. 3. Section ninety-six point seven (96.7), Code 1962,
66 subsection three (3), present paragraph d is amended by striking
67 from line fifteen (15) thereof the following words "shall be:",
68 and substituting in lieu thereof the following:

69 "subject to the adjustment hereinafter provided, shall be
70 fixed in accordance with the following table. Percentage of
71 Excess in said table means the percentage resulting from dividing
72 the excess of contributions paid over benefits charged by the
73 employer's average annual payroll."

74 Also, by striking from lines sixteen (16) and seventeen (17)
75 the following:

76 "If Percentage of Average Annual Payroll is:" and substituting
77 in lieu thereof:

78 "Percentage of Excess is"

79 Also, by striking lines eighteen (18) to thirty-four (34),
80 and substituting in lieu thereof, the following:

81	"4.0%	less than	.5%
82	3.9%	.5 but less than	.7%
83	3.8%	.7 but less than	.8%
84	3.7%	.8 but less than	.9%
85	3.6%	.9 but less than	1.0%
86	3.5%	1.0 but less than	1.1%
87	3.4%	1.1 but less than	1.2%
88	3.3%	1.2 but less than	1.3%
89	3.2%	1.3 but less than	1.4%
90	3.1%	1.4 but less than	1.5%
91	3.0%	1.5 but less than	1.6%
92	2.9%	1.6 but less than	1.8%
93	2.8%	1.8 but less than	2.0%
94	2.7%	2.0 but less than	2.3%
95	2.6%	2.3 but less than	2.4%
96	2.5%	2.4 but less than	2.5%
97	2.4%	2.5 but less than	2.6%
98	2.3%	2.6 but less than	2.7%
99	2.2%	2.7 but less than	2.8%
100	2.1%	2.8 but less than	2.9%
101	2.0%	2.9 but less than	3.0%
102	1.9%	3.0 but less than	3.1%
103	1.8%	3.1 but less than	3.2%
104	1.7%	3.2 but less than	3.3%
105	1.6%	3.3 but less than	3.4%
106	1.5%	3.4 but less than	3.5%
107	1.4%	3.5 but less than	3.6%
108	1.3%	3.6 but less than	3.7%
109	1.2%	3.7 but less than	3.8%
110	1.1%	3.8 but less than	4.0%
111	1.0%	4.0 but less than	4.3%
112	.9%	4.3 but less than	4.6%
113	.8%	4.6 but less than	4.9%
114	.7%	4.9 but less than	5.3%
115	.6%	5.3 but less than	5.7%
116	.5%	5.7 but less than	6.1%
117	.4%	6.1 but less than	6.5%
118	.3%	6.5 but less than	7.0%
119	.2%	7.0 but less than	7.5%
120	.1%	7.5 but less than	8.0%
121	.0%	8.0 or over"	

122 Also by striking from line thirty-nine (39) the words
123 "one point nine percent" and by substituting therefor the
124 words "two point six percent".

125 Sec. 4. Section ninety-six point seven (96.7), Code 1962,
126 subsection three (3), present paragraph d is amended by adding
127 thereto the following paragraphs:

128 "(1) Provided that the maximum contribution rate of any
129 employer for the calendar year 1966 shall not be more than
130 three percent (3%), and for the calendar year 1967 shall be
131 not more than three and five-tenths percent (3.5%).

132 (2) Provided, further, that in no event shall any
133 employer's contribution rate be more than two and seven-tenths
134 percent (2.7%) of the first ten thousand dollars (\$10,000.00)
135 of wages for insured work paid during any calendar quarter."

Filed
April 19, 1965.

*Wad as amended 5/11
124-32*

By SCHROEDER, NURSE, MILLS, KRUCK,
HEYING AND SHAFF.

HOUSE FILE 42

- 1 Amend the Schoeder, et al., amendment, filed April 19, 1965 to House
- 2 File 42 as follows:
- 3 By striking all of lines 19 through 47 and inserting in lieu thereof
- 4 the following:
- 5 "Section 96.3 subsection 4 is amended by striking all of subsection
- 6 4 after line 46."

Filed
May 10, 1965.

adopted 5/11 (30-26)

By MINCKS.

HOUSE FILE 42

- 1 Amend the amendment to House File 42 filed April 19, 1965
- 2 by Schroeder, Nurse, Mills, Kruck, Heying and Shaff by adding
- 3 to said amendment a new section as follows:
- 4 "Section 5. If any provision hereof is declared by any court
- 5 or other proper regulatory authority to be illegal or invalid, such
- 6 provision shall be ineffective, but every other provision hereof
- 7 shall continue and remain in full force and effect.

Filed and adopted
May 11, 1965.

By SCHROEDER.

HOUSE FILE 42

- 1 Amend House File 42 as follows:
- 2 1. Amend section 1, line 5, by striking the words and figures
- 3 "one-twentieth (1/20)" and inserting in lieu thereof the words
- 4 and figures "one-twenty-second (1/22)".
- 5 2. Further amend section 1, lines 9 and 10, by striking the
- 6 words and figures "fifty-five (55)" and inserting in lieu thereof
- 7 the words and figures "fifty (50)".
- 8 3. Further amend House File 42 by striking all of section 3.

Filed and adopted
May 26, 1965.

By MINCKS and CONDON.

HOUSE FILE 42

- 1 Amend the Mincks and Condon amendment to House File 42,
- 2 filed May 26, 1965, by striking the word and figure
- 3 "fifty (50)" from line 7 and inserting in lieu thereof the
- 4 words and figure "forty-five (45)".

Filed and lost
May 26, 1965.

By SCHROEDER.

HOUSE FILE 42
(Action on Wednesday, May 26)

- 1 Senator Schroeder offered the following amendment:
- 2 Amend House File 42 by striking all after the enacting clause and
- 3 inserting in lieu thereof the following:
- 4 "Section 1. Section ninety-six point three (96.3), Code 1962, sub-
- 5 four (4), is amended by striking from line twelve (12) the following: section
- 6 '\$44.00 \$1,072.51 and over'
- 7 and substituting in lieu thereof the following:
- 8 '\$64.00 \$1,638.01 and over
- 9 63.00 1,612.01-1,638.00
- 10 62.00 1,586.01-1,612.00
- 11 61.00 1,560.01-1,586.00
- 12 60.00 1,534.01-1,560.00
- 13 59.00 1,508.01-1,534.00
- 14 58.00 1,482.01-1,508.00
- 15 57.00 1,456.01-1,482.00
- 16 56.00 1,430.01-1,456.00
- 17 55.00 1,404.01-1,430.00
- 18 54.00 1,378.01-1,404.00
- 19 53.00 1,352.01-1,378.00
- 20 52.00 1,326.01-1,352.00
- 21 51.00 1,300.01-1,326.00
- 22 50.00 1,274.01-1,300.00
- 23 49.00 1,227.51-1,274.00
- 24 48.00 1,192.51-1,227.50
- 25 47.00 1,162.51-1,192.50
- 26 46.00 1,132.51-1,162.50
- 27 45.00 1,102.51-1,132.50
- 28 44.00 1,072.51-1,102.50'
- 29 Also, by striking therefrom lines forty-seven (47) to seventy-three

30 and substituting in lieu thereof the following:
 31 'Provided, however, that the weekly benefit amount payable to any
 32 individual for any one (1) week shall not exceed the following per-
 centage
 33 of the state average wage in covered employment:
 34 Fifty-six percent (56%) if the individual has four (4) or more
 children;
 35 Fifty percent (50%) if the individual has three (3) children;
 36 Forty-five percent (45%) if the individual has two (2) children;
 37 Forty-two percent (42%) if the individual has one (1) child;
 38 Thirty-nine percent (39%) if the individual is married and has no
 39 children or is not married.
 40 Provided, however, if a claimant has a working spouse as defined
 herein,
 41 his weekly benefit amount shall be reduced by an amount equal to three
 42 percent (3%) of the average weekly wage for the state in the preced-
 ing
 43 calendar year.
 44 Such maximum weekly benefit amount if not a multiple of one dollar
 45 (\$1.00) shall be rounded to the nearest multiple of one dollar (\$1.00).
 46 The computation of benefit amounts shall be based upon the state
 47 average of weekly wages paid for insured work by employers in each
 48 preceeding twelve (12) month period ending on December 31. If there
 49 is any change in the state average of weekly wages in any calendar
 year,
 50 any resulting changes in benefit amounts shall become effective as of
 the
 51 succeeding July 4.

52 Sec. 2. Section ninety-six point three (96.3), subsection five (5),
 Code
 53 1962, is amended by striking from line thirteen (13) the words 'each
 54 calendar quarter of'.

55 Further amend subsection five (5) by striking from lines fourteen
 (14),
 56 fifteen (15) and sixteen (16) the following:
 57 ', or his weekly benefit amount multiplied by seven point two per
 quarter,
 58 whichever is the lesser'.

59 Sec. 3. Section ninety-six point seven (96.7), subsection three (3),
 60 paragraph d, Code 1962, is amended by striking from line fifteen (15)
 61 thereof the words 'shall be;', and substituting in lieu thereof the fol-
 lowing:

62 'subject to the adjustment hereinafter provided, shall be fixed in ac-
 63 cordance with the following table. Percentage of excess in said table
 64 means the percentage resulting from dividing the excess of contribu-
 tions
 65 paid over benefits charged by the employer's average annual payroll.'

66 Also, by striking lines sixteen (16) through thirty-four (34) and sub-
 67 stituting in lieu thereof the following:

68	Contribution	
69	Rate	Percentage of Excess Is
70	2.7%	0.0% but less than 2.3%
71	2.6%	2.3% but less than 2.4%
72	2.5%	2.4% but less than 2.5%
73	2.4%	2.5% but less than 2.6%
74	2.3%	2.6% but less than 2.7%
75	2.2%	2.7% but less than 2.8%
76	2.1%	2.8% but less than 2.9%
77	2.0%	2.9% but less than 3.0%
78	1.9%	3.0% but less than 3.1%
79	1.8%	3.1% but less than 3.2%
80	1.7%	3.2% but less than 3.3%
81	1.6%	3.3% but less than 3.4%
82	1.5%	3.4% but less than 3.5%
83	1.4%	3.5% but less than 3.6%
84	1.3%	3.6% but less than 3.7%
85	1.2%	3.7% but less than 3.8%
86	1.1%	3.8% but less than 4.0%
87	1.0%	4.0% but less than 4.3%
88	.9%	4.3% but less than 4.6%
89	.8%	4.6% but less than 4.9%
90	.7%	4.9% but less than 5.3%
91	.6%	5.3% but less than 5.7%
92	.5%	5.7% but less than 6.1%
93	.4%	6.1% but less than 6.5%
94	.3%	6.5% but less than 7.0%
95	.2%	7.0% but less than 7.5%
96	.1%	7.5% but less than 8.0%
97	.0%	8.0% or over.

98 If, on the computation date, the total of all benefits paid from an
 99 employer's account for all past periods to and including those for the
 100 quarter ending September 30 immediately preceding the computation
 date,
 101 exceeds the total contributions paid to such account for all past peri-
 ods to
 102 and including those for the quarter ending September 30 immediately
 103 preceding the computation date, such employer's contribution rate shall
 be:

104	Contribution	Percentage of Excess Is
105	Rate	
106	4.0%	0.5% or more
107	3.5%	0.1% but less than 0.5%
108	3.0%	0.0% but less than 0.1%

109 Provided, that the maximum contribution rate of any employer for
 the
 110 calendar year 1966 shall not be more than three percent (3%), and for
 111 the calendar year 1967 shall not be more than three and five-tenths per-
 cent
 112 (3.5%). Provided, however, that notwithstanding any other provision
 of
 113 this chapter, any employer which employs individuals in the construc-
 tion,
 114 erection, demolition, alteration or repair of roads and highways, or of
 115 bridges, buildings, factories, residences, earth work, grading, river
 work,
 116 or any other construction project, and who has not qualified for an ex-
 117 perience rating shall pay three percent (3%) in the calendar year 1966,
 118 three and five-tenths percent (3.5%) in the calendar year 1967, and
 four
 119 point zero percent (4.0%) in the calendar year 1968 and every calendar
 120 year thereafter until such time as he has qualified for an experience
 rating
 121 entitling said employer to a lesser rate of contribution. Provided fur-
 ther,
 122 that in no event shall any employer's contribution rate be more than
 123 two and seven-tenths percent (2.7%) of the first ten thousand dollars
 124 (\$10,000.00) of wages for insured work paid during any calendar
 quarter.'
 125 Sec. 4. Amend the title by striking the period (.) at the end thereof
 126 and substituting a comma (,) and adding immediately thereafter the
 follow-
 127 ing:
 128 'and as to the method of determining the contribution rates of em-
 employ-
 129 ers, and also of employers with deficit accounts.'"

Filed
 Division 1—down to section 3 lost
 Division 2—section 3 and the balance
 of the amendment adopted
 May 26, 1965.

By SCHROEDER.

House concurred 5/27