

FEB 12 1982

HOUSE FILE 2347

Place On Calendar

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

(Formerly Study Bill 657)
Substituted for S.B. 2184

Passed House, Date 2-16-82 (p. 479) Passed Senate, Date 3-2-82 (p. 537)
Vote: Ayes 96 Nays 0 Vote: Ayes 46 Nays 0
Approved March 11, 1982

A BILL FOR

1 An Act relating to changes in Iowa's unemployment compensation
2 law mandated by the federal Omnibus Budget Reconciliation
3 Act of 1981 and requested by the federal department of labor.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 96.3, Code 1981, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. CHILD SUPPORT INTERCEPT.

4 a. An individual filing a claim for benefits under section
5 96.6, subsection 1 shall, at the time of filing, disclose
6 whether the individual owes a child support obligation which
7 is being enforced by the child support recovery unit
8 established in section 252B.2. If an individual discloses
9 that such a child support obligation is owed and the individual
10 is determined to be eligible for benefits under this chapter,
11 the department shall notify the child support recovery unit
12 of the individual's disclosure and deduct and withhold from
13 benefits payable to the individual the amount specified by
14 the individual.

15 b. However, if the child support recovery unit and an
16 individual owing a child support obligation reach an agreement
17 to have specified amounts deducted and withheld from the indi-
18 vidual's benefits and the child support recovery unit submits
19 a copy of the agreement to the department, the department
20 shall deduct and withhold the specified amounts.

21 c. However, if the department is garnisheed by the child
22 support recovery unit under chapter 642 and an individual's
23 benefits are condemned to the satisfaction of the child support
24 obligation being enforced by the child support recovery unit,
25 the department shall deduct and withhold from the individual's
26 benefits that amount required through legal process.

27 Notwithstanding section 642.2, subsections 2, 3, 5, and
28 6 which restrict garnishments under chapter 642 to wages of
29 public employees, the department may be garnisheed under
30 chapter 642 by the child support recovery unit established
31 in section 252B.2, pursuant to a judgment for child support
32 against an individual eligible for benefits under this chapter.

33 Notwithstanding section 96.15, benefits under this chapter
34 are not exempt from garnishment, attachment, or execution
35 if garnisheed by the child support recovery unit, established

1 in section 252B.2, to satisfy the child support obligation
2 of an individual who is eligible for benefits under this
3 chapter.

4 d. An amount deducted and withheld under paragraph a,
5 b, or c shall be paid by the department to the child support
6 recovery unit, and shall be treated as if it were paid to
7 the individual as benefits under this chapter and as if it
8 were paid by the individual to the child support recovery
9 unit in satisfaction of the individual's child support
10 obligations.

11 e. If an agreement for reimbursement has been made, the
12 department shall be reimbursed by the child support recovery
13 unit for the administrative costs incurred by the department
14 under this section which are attributable to the enforcement
15 of child support obligations by the child support recovery
16 unit.

17 Sec. 2. Section 96.4, subsection 6, Code 1981, is amended
18 to read as follows:

19 6. ~~a. Notwithstanding any other provisions in this~~
20 ~~subsection, no~~ An otherwise eligible individual shall not
21 be denied benefits for any week because ~~he or she~~ the
22 individual is in training with the approval of the director,
23 nor shall ~~such~~ the individual be denied benefits with respect
24 to any week in which ~~he or she~~ the individual is in training
25 with the approval of the director by reason of the application
26 of the provision in subsection 3 ~~of this section~~ relating
27 to availability for work, and an active search for work or
28 the provision of section 96.5, subsection 3, relating to
29 failure to apply for or a refusal to accept suitable work.
30 However, ~~no~~ an employer's account shall not be charged with
31 benefits so paid.

32 b. An otherwise eligible individual shall not be denied
33 benefits for a week because the individual is in training
34 approved under 19 U.S.C. sec. 2296(a), as amended by section
35 2506 of the federal Omnibus Budget Reconciliation Act of 1981,

1 because the individual leaves work which is not suitable
2 employment to enter the approved training, or because of the
3 application of subsection 3 or section 96.5, subsection 3,
4 or a federal unemployment insurance law administered by the
5 department relating to availability for work, active search
6 for work, or refusal to accept work.

7 For purposes of this paragraph, "suitable employment" means
8 work of a substantially equal or higher skill level than an
9 individual's past adversely affected employment, as defined
10 in 19 U.S.C. sec. 2319(1), if wages for the work are not less
11 than eighty percent of the individual's weekly benefit amount.

12 Sec. 3. Section 96.19, subsection 25, Code 1981, is amended
13 to read as follows:

14 25. "Extended benefit period" means a period which+

15 a--- ~~Begins~~ begins with the third week after ~~whichever-of~~
16 ~~the-following-weeks-occurs-first-~~

17 ~~(1)--A-week-for-which-there-is-a-national-"on"-indicator,~~
18 ~~or~~

19 ~~(2)--A~~ a week for which there is a state "on" indicator,
20 and

21 ~~b---Ends~~ ends with either of the following weeks, whichever
22 occurs later:

23 ~~(1) a.~~ (1) a. The third week after the first week for which there
24 ~~is both-a-national-"off"-indicator-and~~ a state "off" indicator,
25 ~~or.~~

26 ~~(2) b.~~ (2) b. The thirteenth consecutive week of such period.

27 ~~Provided-that-no~~ However, an extended benefit period may
28 shall not begin by reason of a state "on" indicator before
29 the fourteenth week following the end of a prior extended
30 benefit period which was in effect with respect to this state,
31 and.

32 ~~Provided-further-that-no-extended-benefit-period-may-become~~
33 ~~effective-in-this-state-prior-to-January-1,-1972-~~

34 Sec. 4. Section 96.19, subsections 26 and 27, Code 1981,
35 are amended by striking the subsections. The Code editor

1 shall hold the subsections in reserve and shall not renumber
2 the subsections of section 96.19.

3 Sec. 5. Section 96.19, subsection 28, Code 1981, is amended
4 to read as follows:

5 28. There is a state "on" indicator for a week if the
6 rate of insured unemployment under the state law for the
7 period consisting of ~~such~~ the week and the immediately
8 preceding twelve weeks equaled or exceeded ~~four~~ five percent
9 and equaled or exceeded one hundred twenty percent of the
10 average of the rates for the corresponding thirteen-week
11 period ending in each of the two preceding calendar years.

12 Sec. 6. Section 96.19, subsection 29, Code 1981, is amended
13 to read as follows:

14 29. There is a state "off" indicator for a week if, for
15 the period consisting of the week and the immediately preceding
16 twelve weeks, the rate of insured unemployment under the state
17 law was less than ~~four~~ five percent, or less than one hundred
18 twenty percent of the average of the rates for thirteen weeks
19 ending in each of the two preceding calendar years, except
20 that, notwithstanding any such provision of this subsection,
21 any week for which there would otherwise be a state "on"
22 indicator shall continue to be such a week and shall not be
23 determined to be a week for which there is a state "off"
24 indicator.

25 Sec. 7. Section 96.19, subsection 30, Code 1981, is amended
26 to read as follows:

27 30. "Rate of insured unemployment", for purposes of
28 determining state "on" indicator and state "off" indicator,
29 means the percentage derived by dividing the average weekly
30 number of individuals filing claims for regular benefits in
31 Iowa for weeks of unemployment with respect to the most recent
32 thirteen consecutive week period, as determined by the
33 department on the basis of its reports to the United States
34 secretary of labor, by the average monthly insured employment
35 covered under this chapter for the first four of the most

1 recent six completed calendar quarters ending before the end
2 of such thirteen-week period.

3 Sec. 8. Section 96.29, Code 1981, as amended by Acts of
4 the Sixty-ninth General Assembly, 1981 Session, chapter 19,
5 sections 10 and 11, is amended to read as follows:

6 96.29 EXTENDED BENEFITS. Except when the result would
7 be inconsistent with the other provisions of this chapter,
8 as provided in ~~regulations~~ rules of the department, the
9 provisions of the law which apply to claims for or the payment
10 of regular benefits shall apply to claims for, and the payment
11 of, extended benefits.

12 1. ELIGIBILITY REQUIREMENTS FOR EXTENDED BENEFITS. An
13 individual ~~shall be~~ is eligible to receive extended bene-
14 fits with respect to any a week of unemployment in ~~his or~~
15 ~~her~~ the individual's eligibility period only if the department
16 finds that ~~with respect to such week~~ all of the following
17 conditions are met:

18 a. ~~He or she~~ The individual is an "exhaustee" as defined
19 in this chapter.

20 b. ~~He or she~~ The individual has satisfied the requirements
21 of this chapter for the receipt of regular benefits that are
22 applicable to individuals claiming extended benefits, including
23 not being subject to a disqualification for the receipt of
24 benefits.

25 c. The individual has been paid wages for insured work
26 during the individual's base period in an amount at least
27 one and one-half times the wages paid to the individual during
28 that quarter of the individual's base period in which the
29 individual's wages were highest.

30 2. DISQUALIFICATION FOR EXTENDED BENEFITS. ~~The disquali-~~
31 ~~fication provisions of this chapter applicable to regular~~
32 ~~benefits are applicable to extended benefits, except~~ If an
33 individual claiming extended benefits furnishes satisfactory
34 evidence to the department that the individual's prospects
35 for obtaining work in the individual's customary occupation

1 within a reasonably short period are good, section 96.5,
2 subsection 3 applies. If the department determines that an
3 individual is claiming extended benefits and the individual's
4 prospects for obtaining work in the individual's customary
5 occupation are poor, the following paragraphs apply:

6 a. An individual shall be disqualified for extended
7 benefits if the individual fails to apply for or refuses to
8 accept an offer of suitable work to which the individual was
9 referred by the department or the individual fails to actively
10 seek work, unless the individual has been employed during
11 at least four weeks, which need not be consecutive, subsequent
12 to the disqualification and has earned at least four times
13 the individual's weekly extended benefit amount. In order
14 to be considered suitable work under this subsection, the
15 gross weekly wage for the suitable work shall be in excess
16 of the individual's weekly extended benefit amount plus any
17 weekly supplemental unemployment compensation benefits which
18 the individual is receiving.

19 b. An individual shall not be disqualified for extended
20 benefits for failing to apply for or refusing to accept an
21 offer of suitable work, unless the suitable work was offered
22 to the individual in writing or was listed with the department.

23 2 3. WEEKLY EXTENDED BENEFIT AMOUNT. The weekly extended
24 benefit amount payable to an individual for a week of total
25 unemployment in ~~his-or-her~~ the individual's eligibility period
26 ~~shall-be is~~ is an amount equal to the weekly benefit amount
27 payable to ~~him-or-her~~ the individual during ~~his-or-her~~ the
28 individual's applicable benefit year.

29 3 4. TOTAL EXTENDED BENEFIT AMOUNT. The total extended
30 benefit amount payable to any an eligible individual with
31 respect to ~~his-or-her~~ the individual's applicable benefit
32 year ~~shall-be is~~ is the least of the following amounts.

33 a. Fifty percent of the total amount of regular benefits
34 which were payable to ~~him-or-her~~ the individual under this
35 chapter in ~~his-or-her~~ the individual's applicable benefit

1 year.

2 b. Thirteen times ~~his or her~~ the individual's weekly bene-
3 fit amount which was payable to ~~him or her~~ the individual
4 under this chapter for a week of total unemployment in the
5 applicable benefit year.

6 ~~However, an eligible individual shall receive a maximum~~
7 ~~of two additional weeks of extended benefits if the individual~~
8 ~~moves from this state, before or during an extended benefit~~
9 ~~period triggered by this state's "on" indicator, to another~~
10 ~~state in which an extended benefit period is not in effect.~~
11 Except for the first two weeks of an interstate claim for
12 extended benefits filed in any state under the interstate
13 benefit payment plan and payable from an individual's extended
14 benefit account, the individual is not eligible for extended
15 benefits payable under the interstate claim if an extended
16 benefit period is not in effect in that state.

17 4 5. BEGINNING AND TERMINATION OF EXTENDED BENEFIT PERIOD.
18 ~~Whenever~~ If an extended benefit period is to become effective
19 in Iowa, ~~or in all states,~~ as a result of a the state or a
20 ~~national~~ "on" indicator, or an extended benefit period is
21 to be terminated in Iowa as a result of the state and national
22 ~~"off" indicators~~ indicator, the department shall make an
23 appropriate public announcement. Computations required by
24 ~~the provisions of~~ this subsection shall be made by the
25 department in accordance with regulations prescribed by the
26 United States secretary of labor.

27 6. Notwithstanding any other provisions of this section,
28 if the benefit year of an individual ends within an eligibility
29 period for extended benefits, the remaining extended benefits
30 which the individual would, but for this section, be entitled
31 to receive in that portion of the eligibility period which
32 extends beyond the end of the individual's benefit year, shall
33 be reduced, but not below zero, by the number of weeks for
34 which the individual received federal trade readjustment
35 allowances, under 19 U.S.C. sec. 2101 et seq., as amended

1 by the Omnibus Budget Reconciliation Act of 1981, within the
 2 individual's benefit year multiplied by the individual's
 3 weekly extended benefit amount.

4 Sec. 9. Sections 5 and 6 of this Act and that portion
 5 of section 8 of this Act which will be codified as section
 6 96.29, subsection 1, paragraph c take effect September 26,
 7 1982 and apply to weeks beginning on and after that date.

8 EXPLANATION

9 This bill contains amendments to Iowa's unemployment com-
 10 pensation law mandated by the federal Omnibus Budget Recon-
 11 ciliation Act of 1981 and requested for clarification pur-
 12 poses by the federal department of labor.

13 Section 1 requires the department of job service to work
 14 with the child support recovery unit to withhold and deduct
 15 child support obligations from an individual's unemployment
 16 compensation benefits. If a voluntary agreement cannot be
 17 reached, the section allows the unit to garnishee the de-
 18 partment and attach the benefits due the individual.

19 Section 2 and the new subsection in section 8, to be codi-
 20 fied as 96.29, subsection 6, relate to benefits for an
 21 individual participating or eligible for benefits under the
 22 federal Trade Act of 1974, as amended (19 U.S.C. sec. 2101
 23 et seq.). Section 2 requires that benefits not be denied
 24 to an individual who is in approved training under the federal
 25 Act. The change in section 8 reduces extended benefits to
 26 be received beyond the end of an individual's benefit year
 27 by the number of weeks for which the individual received trade
 28 readjustment allowances under the federal Act.

29 Sections 3 and 4 and part of section 8 delete language
 30 concerning the national trigger for extended benefits which
 31 has been repealed by Congress. The Code editor is instructed
 32 to maintain the current numbering of subsections in section
 33 96.19 in order to allow the use of current department of job
 34 service forms.

35 Sections 5 and 6 change the state trigger for extended

1 benefits from four percent to five percent of the rate of
2 insured unemployment. The sections retain the requirement
3 of a 120 percent increase or decrease in the rate compared
4 to the preceding two years.

5 Section 7 requires that only claims for regular benefits
6 be used in determining the state's rate of insured
7 unemployment.

8 Section 8 requires as a condition for the receipt of ex-
9 tended benefits that an individual receive base period wages
10 equaling or exceeding one and one-half times the individual's
11 wages paid in that quarter of the individual's base period
12 in which the individual's wages were highest. The section
13 also includes clarifying language requested by federal
14 department of labor officials relating to the disqualification
15 for extended benefits, depending on whether an individual's
16 job prospects are good or poor, and relating to the maximum
17 two-week extended benefit eligibility for individuals filing
18 interstate claims.

19 Section 9 makes the change in the state trigger from four
20 to five percent effective September 26, 1982. The remainder
21 of the bill takes effect July 1 following enactment.

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HOUSE FILE 2347

AN ACT

RELATING TO CHANGES IN IOWA'S UNEMPLOYMENT COMPENSATION LAW
MANDATED BY THE FEDERAL OMNIBUS BUDGET RECONCILIATION ACT
OF 1981 AND REQUESTED BY THE FEDERAL DEPARTMENT OF LABOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 96.3, Code 1981, is amended by adding
the following new subsection:

NEW SUBSECTION. CHILD SUPPORT INTERCEPT.

a. An individual filing a claim for benefits under section
96.6, subsection 1 shall, at the time of filing, disclose
whether the individual owes a child support obligation which
is being enforced by the child support recovery unit
established in section 252B.2. If an individual discloses
that such a child support obligation is owed and the individual
is determined to be eligible for benefits under this chapter,
the department shall notify the child support recovery unit
of the individual's disclosure and deduct and withhold from
benefits payable to the individual the amount specified by
the individual.

b. However, if the child support recovery unit and an
individual owing a child support obligation reach an agreement
to have specified amounts deducted and withheld from the indi-
vidual's benefits and the child support recovery unit submits
a copy of the agreement to the department, the department
shall deduct and withhold the specified amounts.

c. However, if the department is garnished by the child
support recovery unit under chapter 642 and an individual's
benefits are condemned to the satisfaction of the child support
obligation being enforced by the child support recovery unit,
the department shall deduct and withhold from the individual's
benefits that amount required through legal process.

Notwithstanding section 642.2, subsections 2, 3, 5, and
6 which restrict garnishments under chapter 642 to wages of
public employees, the department may be garnished under
chapter 642 by the child support recovery unit established
in section 252B.2, pursuant to a judgment for child support
against an individual eligible for benefits under this chapter.

Notwithstanding section 96.15, benefits under this chapter
are not exempt from garnishment, attachment, or execution
if garnished by the child support recovery unit, established
in section 252B.2, to satisfy the child support obligation
of an individual who is eligible for benefits under this
chapter.

d. An amount deducted and withheld under paragraph a,
b, or c shall be paid by the department to the child support
recovery unit, and shall be treated as if it were paid to
the individual as benefits under this chapter and as if it
were paid by the individual to the child support recovery
unit in satisfaction of the individual's child support
obligations.

e. If an agreement for reimbursement has been made, the
department shall be reimbursed by the child support recovery
unit for the administrative costs incurred by the department
under this section which are attributable to the enforcement
of child support obligations by the child support recovery
unit.

Sec. 2. Section 96.4, subsection 6, Code 1981, is amended
to read as follows:

6. ~~a. Notwithstanding any other provisions in this
subsection, no~~ An otherwise eligible individual shall not
be denied benefits for any week because ~~he or she~~ the
individual is in training with the approval of the director,
nor shall ~~such~~ the individual be denied benefits with respect
to any week in which ~~he or she~~ the individual is in training
with the approval of the director by reason of the application
of the provision in subsection 3 ~~of this section~~ relating
to availability for work, and an active search for work or
the provision of section 96.5, subsection 3, relating to

failure to apply for or a refusal to accept suitable work. However, ~~no~~ an employer's account shall not be charged with benefits so paid.

b. An otherwise eligible individual shall not be denied benefits for a week because the individual is in training approved under 19 U.S.C. sec. 2296(a), as amended by section 2506 of the Federal Omnibus Budget Reconciliation Act of 1981, because the individual leaves work which is not suitable employment to enter the approved training, or because of the application of subsection 3 or section 96.5, subsection 3, or a federal unemployment insurance law administered by the department relating to availability for work, active search for work, or refusal to accept work.

For purposes of this paragraph, "suitable employment" means work of a substantially equal or higher skill level than an individual's past adversely affected employment, as defined in 19 U.S.C. sec. 2319(i), if wages for the work are not less than eighty percent of the individual's weekly benefit amount.

Sec. 3. Section 96.19, subsection 25, Code 1981, is amended to read as follows:

25. "Extended benefit period" means a period which
- a-- ~~Begins~~ begins with the third week after ~~whichever of the following weeks occurs first~~
 - (1)--~~A week for which there is a national "on" indicator,~~
 - or
 - (2)--~~A~~ a week for which there is a state "on" indicator, and
 - b--~~Ends~~ ends with either of the following weeks, whichever occurs later:
 - (1) a. The third week after the first week for which there is ~~both a national "off" indicator and~~ a state "off" indicator, or,
 - (2) b. The thirteenth consecutive week of such period.

Provided that no However, an extended benefit period may ~~shall not~~ begin by reason of a state "on" indicator before the fourteenth week following the end of a prior extended benefit period which was in effect with respect to this state, and.

~~Provided further that no extended benefit period may become effective in this state prior to January 1, 1972.~~

Sec. 4. Section 96.19, subsections 25 and 27, Code 1981, are amended by striking the subsections. The Code editor shall hold the subsections in reserve and shall not renumber the subsections of section 96.19.

Sec. 5. Section 96.19, subsection 28, Code 1981, is amended to read as follows:

28. There is a state "on" indicator for a week if the rate of insured unemployment under the state law for the period consisting of ~~such~~ the week and the immediately preceding twelve weeks equaled or exceeded ~~four~~ five percent and equaled or exceeded one hundred twenty percent of the average of the rates for the corresponding thirteen-week period ending in each of the two preceding calendar years.

Sec. 6. Section 96.19, subsection 29, Code 1981, is amended to read as follows:

29. There is a state "off" indicator for a week if, for the period consisting of the week and the immediately preceding twelve weeks, the rate of insured unemployment under the state law was less than ~~four~~ five percent, or less than one hundred twenty percent of the average of the rates for thirteen weeks ending in each of the two preceding calendar years, except that, notwithstanding any such provision of this subsection, any week for which there would otherwise be a state "on" indicator shall continue to be such a week and shall not be determined to be a week for which there is a state "off" indicator.

Sec. 7. Section 96.19, subsection 30, Code 1981, is amended to read as follows:

30. "Rate of insured unemployment", for purposes of determining state "on" indicator and state "off" indicator, means the percentage derived by dividing the average weekly number of individuals filing claims for regular benefits in Iowa for weeks of unemployment with respect to the most recent thirteen consecutive week period, as determined by the department on the basis of its reports to the United States

secretary of labor, by the average monthly insured employment covered under this chapter for the first four of the most recent six completed calendar quarters ending before the end of such thirteen-week period.

Sec. 8. Section 96.29, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 19, sections 10 and 11, is amended to read as follows:

96.29 EXTENDED BENEFITS. Except when the result would be inconsistent with the other provisions of this chapter, as provided in ~~regulations~~ rules of the department, the provisions of the law which apply to claims for or the payment of regular benefits shall apply to claims for, and the payment of, extended benefits.

1. ELIGIBILITY REQUIREMENTS FOR EXTENDED BENEFITS. An individual ~~shall be~~ is eligible to receive extended benefits with respect to ~~any a~~ any week of unemployment in ~~his-or-her~~ her ~~the individual's~~ the individual's eligibility period only if the department finds that ~~with-respect-to-such-week~~ all of the following conditions are met:

- a. ~~He-or-she~~ The individual is an "exhaustee" as defined in this chapter.
- b. ~~He-or-she~~ The individual has satisfied the requirements of this chapter 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.
- c. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-half times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest.

2. DISQUALIFICATION FOR EXTENDED BENEFITS. ~~The-disquali-
fication-provisions-of-this-chapter-applicable-to-regular
benefits-are-applicable-to-extended-benefits,-except~~ If an
individual claiming extended benefits furnishes satisfactory
evidence to the department that the individual's prospects
for obtaining work in the individual's customary occupation

within a reasonably short period are good, section 96.5,
subsection 3 applies. If the department determines that an
individual is claiming extended benefits and the individual's
prospects for obtaining work in the individual's customary
occupation are poor, the following paragraphs apply:

a. An individual shall be disqualified for extended benefits if the individual fails to apply for or refuses to accept an offer of suitable work to which the individual was referred by the department or the individual fails to actively seek work, unless the individual has been employed during at least four weeks, which need not be consecutive, subsequent to the disqualification and has earned at least four times the individual's weekly extended benefit amount. In order to be considered suitable work under this subsection, the gross weekly wage for the suitable work shall be in excess of the individual's weekly extended benefit amount plus any weekly supplemental unemployment compensation benefits which the individual is receiving.

b. An individual shall not be disqualified for extended benefits for failing to apply for or refusing to accept an offer of suitable work, unless the suitable work was offered to the individual in writing or was listed with the department.

3. WEEKLY EXTENDED BENEFIT AMOUNT. The weekly extended benefit amount payable to an individual for a week of total unemployment in ~~his-or-her~~ the individual's eligibility period ~~shall be~~ is an amount equal to the weekly benefit amount payable to ~~him-or-her~~ the individual during ~~his-or-her~~ the individual's applicable benefit year.

4. TOTAL EXTENDED BENEFIT AMOUNT. The total extended benefit amount payable to ~~any an~~ any eligible individual with respect to ~~his-or-her~~ the individual's applicable benefit year ~~shall be~~ is the least of the following amounts.

a. Fifty percent of the total amount of regular benefits which were payable to ~~him-or-her~~ the individual under this chapter in ~~his-or-her~~ the individual's applicable benefit year.

b. Thirteen times ~~his or her~~ the individual's weekly benefit amount which was payable to ~~him or her~~ the individual under this chapter for a week of total unemployment in the applicable benefit year.

~~However, an eligible individual shall receive a maximum of two additional weeks of extended benefits if the individual moves from this state before or during an extended benefit period triggered by this state's "on" indicator, to another state in which an extended benefit period is not in effect. Except for the first two weeks of an interstate claim for extended benefits filed in any state under the interstate benefit payment plan and payable from an individual's extended benefit account, the individual is not eligible for extended benefits payable under the interstate claim if an extended benefit period is not in effect in that state.~~

4 5. BEGINNING AND TERMINATION OF EXTENDED BENEFIT PERIOD. Whenever if an extended benefit period is to become effective in Iowa, ~~or in all states,~~ as a result of a the state or a national "on" indicator, or an extended benefit period is to be terminated in Iowa as a result of the state and national "off" ~~indicators~~ indicator, the department shall make an appropriate public announcement. Computations required by ~~the provisions of~~ this subsection shall be made by the department in accordance with regulations prescribed by the United States secretary of labor.

6. Notwithstanding any other provisions of this section, if the benefit year of an individual ends within an eligibility period for extended benefits, the remaining extended benefits which the individual would, but for this section, be entitled to receive in that portion of the eligibility period which extends beyond the end of the individual's benefit year, shall be reduced, but not below zero, by the number of weeks for which the individual received federal trade readjustment allowances, under 19 U.S.C. sec. 2101 et seq., as amended by the Omnibus Budget Reconciliation Act of 1981, within the individual's benefit year multiplied by the individual's weekly extended benefit amount.

Sec. 9. Sections 5 and 6 of this Act and that portion of section 8 of this Act which will be codified as section 96.29, subsection 1, paragraph c take effect September 26, 1982 and apply to weeks beginning on and after that date.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2347, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved March 11, 1982

ROBERT D. RAY
Governor