

Amendment to SB 129

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the solvency of the unemployment compensation trust fund.

4

5 Amend the bill by replacing all after the enacting clause with the following:

6

7 1 Payment of Contributions; Effective January 1, 2010. Amend RSA 282-A:69, I to read as  
8 follows:

9 I. Contributions shall accrue and become payable by each employer for each calendar year,  
10 in which he is subject to this chapter, in an amount equal to 2.7 percent, except as otherwise  
11 provided in RSA 282-A:79-90, of the wages paid or payable for employment during such calendar  
12 year, not to exceed [~~\$8,000~~] **\$10,000** which have been paid to an individual in any calendar year.  
13 Such contributions shall become due and be paid by each employer to the commissioner of the  
14 department of employment security for the fund in accordance with such rules as the commissioner  
15 of the department of employment security may adopt and shall not be deducted, in whole or in part,  
16 from the wages of individuals in such employer's employ; provided that the contributions of an  
17 employer becoming subject to the law within any calendar year shall be first due and payable after  
18 such employer has satisfied the conditions with respect to becoming an employer. For the purposes  
19 of this section, the term "wages" shall include service subject to contribution under any employment  
20 security law of another state.

21 2 Payment of Contributions; Effective January 1, 2011. Amend RSA 282-A:69, I to read as  
22 follows:

23 I. Contributions shall accrue and become payable by each employer for each calendar year,  
24 in which he is subject to this chapter, in an amount equal to 2.7 percent, except as otherwise  
25 provided in RSA 282-A:79-90, of the wages paid or payable for employment during such calendar  
26 year, not to exceed [~~\$10,000~~] **\$12,000** which have been paid to an individual in any calendar year.  
27 Such contributions shall become due and be paid by each employer to the commissioner of the  
28 department of employment security for the fund in accordance with such rules as the commissioner  
29 of the department of employment security may adopt and shall not be deducted, in whole or in part,  
30 from the wages of individuals in such employer's employ; provided that the contributions of an  
31 employer becoming subject to the law within any calendar year shall be first due and payable after  
32 such employer has satisfied the conditions with respect to becoming an employer. For the purposes

Amendment to SB 129

- Page 2 -

1 of this section, the term "wages" shall include service subject to contribution under any employment  
2 security law of another state.

3 3 Payment of Contributions; Effective January 1, 2012. Amend RSA 282-A:69, I to read as  
4 follows:

5 I. Contributions shall accrue and become payable by each employer for each calendar year,  
6 in which he is subject to this chapter, in an amount equal to 2.7 percent, except as otherwise  
7 provided in RSA 282-A:79-90, of the wages paid or payable for employment during such calendar  
8 year, not to exceed [~~\$12,000~~] **\$14,000** which have been paid to an individual in any calendar year.  
9 Such contributions shall become due and be paid by each employer to the commissioner of the  
10 department of employment security for the fund in accordance with such rules as the commissioner  
11 of the department of employment security may adopt and shall not be deducted, in whole or in part,  
12 from the wages of individuals in such employer's employ; provided that the contributions of an  
13 employer becoming subject to the law within any calendar year shall be first due and payable after  
14 such employer has satisfied the conditions with respect to becoming an employer. For the purposes  
15 of this section, the term "wages" shall include service subject to contribution under any employment  
16 security law of another state.

17 4 New Section; Emergency Surcharge. Amend RSA 282-A by inserting after section 84 the  
18 following new section:

19 282-A:84-a Emergency Surcharge. For contribution rates applicable to calendar quarters  
20 commencing on or after January 1, 2010, should the unemployment compensation trust fund fail to  
21 equal or exceed \$150,000,000 throughout the next preceding calendar quarter and should the  
22 commissioner determine that the exercise of emergency power pursuant to RSA 282-A:84 is  
23 insufficient to preserve the solvency of the trust fund, the commissioner may add to every employer's  
24 contribution rate a .5 percent surcharge. Such surcharge shall be in addition to the contribution rate  
25 assigned under any other provision of RSA 282-A.

26 5 Minimum Rate. RSA 282-A:82 is repealed and reenacted to read as follows:

27 282-A:82 Minimum Rate.

28 I. There shall be subtracted in any calendar quarter from every employer's contribution rate  
29 .5 percent whenever the unemployment compensation fund equals or exceeds \$275,000,000  
30 throughout the next preceding calendar quarter.

31 II. There shall be subtracted in any calendar quarter from every employer's contribution  
32 rate one percent whenever the unemployment compensation fund equals or exceeds \$300,000,000  
33 throughout the next preceding calendar quarter.

34 III. There shall be subtracted in any calendar quarter from every employer's contribution  
35 rate 1.5 percent whenever the unemployment compensation fund equals or exceeds \$325,000,000  
36 throughout the next preceding calendar quarter.

37 IV. The minimum contribution rate under this section shall not be less than .10 percent.

Amendment to SB 129

- Page 3 -

1           6 New Section; Inverse Minimum Rate. Amend RSA 282-A by inserting after section 82 the  
2 following new section:

3           282-A:82-a Inverse Minimum Rate. For each employer assigned a rate under RSA 282-A:87, II  
4 or II-a:

5           I. There shall be added in any calendar quarter to every such employer's contribution rate  
6 1.5 percent whenever the unemployment compensation fund fails to equal or exceed \$275,000,000  
7 throughout the next preceding calendar quarter.

8           II. There shall be added in any calendar quarter to every such employer's contribution rate  
9 one percent whenever the unemployment compensation fund fails to equal or exceed \$300,000,000  
10 throughout the next preceding calendar quarter.

11           III. There shall be added in any calendar quarter to every such employer's contribution rate  
12 .5 percent whenever the unemployment compensation fund fails to equal or exceed \$325,000,000  
13 throughout the next preceding calendar quarter.

14           7 Benefit Eligibility Conditions. Amend RSA 282-A:31, I to read as follows:

15           I. An unemployed individual shall be eligible to receive benefits with respect to any week  
16 only if the commissioner finds that:

17           (a) He *or she* has been classified in accordance with his *or her* experience and abilities  
18 and so registered for employment with and by the commissioner and has reported and continues  
19 thereafter to report at an employment office in accordance with such rules as the commissioner may  
20 adopt.

21           (b) He *or she* has made a claim for benefits in accordance with the provisions of  
22 RSA 282-A:43.

23           (c) He or she is ready, willing, and able to accept and perform suitable full-time or part-  
24 time work on all the shifts and during all the hours for which there is a market for the services he or  
25 she offers and that he or she has exposed himself or herself to employment to the extent  
26 commensurate with the economic conditions and the efforts of a reasonably prudent person seeking  
27 work.

28           (d) He or she is available for and seeking permanent, full-time or part-time work for  
29 which he or she is qualified provided that, if availability is limited to part-time work, the claim for  
30 unemployment benefits is based on wages earned in part-time work.

31           (e) He *or she* has disclosed whether or not he *or she* owes child support obligations that  
32 are payable through any agency of the state of New Hampshire or its political subdivisions.

33           (f) He *or she* has participated in reemployment services when so directed by the  
34 commissioner unless he *or she* has completed such services or has good cause for failure to  
35 participate in such services.

36           (g) The individual has disclosed whether or not he or she owes an uncollected  
37 overissuance of food stamp coupons as defined in section 13(c)(1) of the Food Stamp Act of 1977 as