Bill as Introduced

HB 1189-FN – AS INTRODUCED

2000 SESSION

00-2184
05/09

HOUSE BILL ***1189-FN***

AN ACT relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

SPONSORS: Rep. Turner, Belk 7; Rep. Bishop, Rock 12; Sen. Wheeler, Dist 21

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill:

I Makes changes to the weekly and maximum benefits available to persons receiving unemployment compensation for the next 2 years.

II. Creates an exemption within a group of temporary, part-time employees not eligible to receive benefits.

III. Increases fines for employers failing to file required paperwork with the department of employment security.

IV. Removes a contingency date from a provision authorizing the department of employment security advisory council to review administrative funding provisions in the event the federal government were to devolve employment security programs to the state.

V. Repeals 1996, 49:7, II.

This bill was requested by the department of employment security.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2184
05/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Maximum Weekly Benefits. Amend RSA 282-A:25, I to read as follows:

I. The maximum weekly benefit amount and maximum benefits payable to an eligible individual in any benefit year shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$2,800	$ 32	$ 832
3,100	35	910
3,400	39	1,014
3,900	45	1,170
4,200	48	1,248
4,500	52	1,352
4,800	55	1,430
5,100	59	1,534
5,600	64	1,664
6,100	69	1,794
6,600	75	1,950
7,000	80	2,080
7,400	83	2,158
7,800	88	2,288
8,200	92	2,392
8,600	96	2,496
9,000	101	2,626
9,500	105	2,730
10,000	110	2,860
10,500	115	2,990
11,000	119	3,094
11,500	123	3,198
[~~12,200~~] ***12,500***	[~~131~~] ***130***	[~~3,406~~] ***3,380***
[~~12,900~~] ***13,500***	[~~136~~] ***140***	[~~3,536~~] ***3,640***

[~~13,600~~	~~141~~	~~3,666~~
~~14,300~~] ***14,500***	[~~146~~] ***151***	[~~3,796~~] ***3,926***
[~~15,000~~] ***15,500***	[~~153~~] ***158***	[~~3,978~~] ***4,108***
[~~15,700~~	~~160~~	~~4,160~~
~~16,400~~] ***16,500***	[~~167~~] ***168***	[~~4,342~~] ***4,368***
[~~17,100~~	~~174~~	~~4,524~~]
[~~17,800~~] ***17,500***	[~~181~~] ***178***	[~~4,706~~] ***4,628***
18,500	189	4,914
19,500	199	5,174
20,500	209	5,434
21,500	219	5,694
22,500	229	5,954
23,500	240	6,240
24,500	250	6,500
25,500	260	6,760
26,500	270	7,020
27,500	280	7,280
28,500	290	7,540
29,500	301	7,826
30,500	***311***	***8,086***
31,500	***321***	***8,346***
32,500	***331***	***8,606***

2 Maximum Weekly Benefits. Amend RSA 282-A:25, I to read as follows:

I. The maximum weekly benefit amount and maximum benefits payable to an eligible individual in any benefit year shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$2,800	$ 32	$ 832
3,100	35	910
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3,900	45	1,170
4,200	48	1,248
4,500	52	1,352
4,800	55	1,430
5,100	59	1,534
5,600	64	1,664

1	6,100	69	1,794
2	6,600	75	1,950
3	7,000	80	2,080
4	7,400	83	2,158
5	7,800	88	2,288
6	8,200	92	2,392
7	8,600	96	2,496
8	9,000	101	2,626
9	9,500	105	2,730
10	10,000	110	2,860
11	10,500	115	2,990
12	11,000	119	3,094
13	11,500	123	3,198
14	12,500	130	3,380
15	13,500	140	3,640
16	14,500	151	3,926
17	15,500	158	4,108
18	16,500	168	4,368
19	17,500	178	4,628
20	18,500	189	4,914
21	19,500	199	5,174
22	20,500	209	5,434
23	21,500	219	5,694
24	22,500	229	5,954
25	23,500	240	6,240
26	24,500	250	6,500
27	25,500	260	6,760
28	26,500	270	7,020
29	27,500	280	7,280
30	28,500	290	7,540
31	29,500	301	7,826
32	30,500	311	8,086
33	31,500	321	8,346
34	32,500	331	8,606
35	***33,500***	***342***	***8,892***

3 Temporary, Part Time Contract Workers. Amend RSA 282-A:9, IV(w) to read as follows:

(w) Service performed by an individual who, on a temporary, part-time, contract basis, demonstrates products, offers samples of products or promotional materials to customers, conducts store audits or performs mystery shopping as part of an advertising or sales promotion for the products when such activities are conducted in the field or over the telephone on premises not used or controlled by the person for whom such contract services are being provided, ***however such exemptions shall not apply to such service performed for the state or any of its political subdivisions or for an organization described in section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code.***

4 Contingency upon Devolution of Employment Security Programs. Amend RSA 282-A:87, IV(e) to read as follows:

(e) In the event employment security programs are devolved to the state by the federal government [~~prior to July 1, 2002~~], the advisory council on unemployment compensation shall meet and review the administrative funding provisions provided in such legislation and advise the commissioner whether to submit legislation to repeal the reserve fund [~~prior to July 1, 2002~~].

5 Failure to File Reports. Amend the introductory paragraph of RSA 282-A:142 and RSA 282-A:142, I-IV to read as follows:

Commencing with reports due beginning with the third calendar quarter of [~~1991~~] ***2000***:

I. If any employer subject to payment of contributions as provided in RSA 282-A:69, I fails to file any required report on the date on which it is due, as prescribed by the commissioner of the department of employment security in a rule, [~~he~~] ***the employer*** shall pay a fee for such failure equal to 10 percent of the contributions due thereon but not less than [~~$10~~] ***$25*** for each such failure.

II. If any employer electing to reimburse the fund as provided in RSA 282-A:69, II fails to file any required report on the date on which it is due, as prescribed by the commissioner of the department of employment security in a rule, [~~he~~] ***the employer*** shall pay a fee for such failure equal to .001 of the gross wages paid during the quarter covered by such report but not less than [~~$10~~] ***$25*** for each such failure.

III. The state, county, city, town, or other political subdivision that elects to reimburse the fund pursuant to RSA 282-A:70 and RSA 282-A:71, I shall pay a fee of [~~$10~~] ***$25*** for each failure to file any report on the date on which it is due as prescribed by the commissioner of the department of employment security in a rule.

IV. Upon timely application and payment of a fee of [~~$25~~] ***$50***, the time for filing any such report may be extended 30 days. All fees shall be paid into the contingent fund provided in RSA 282-A:140.

6 Repeal. RSA 1996, 49:7, III, relative to termination of the administrative contribution on July 1, 2002, is repealed.

7 Effective Date.

I. Section 1 of this act shall take effect July 2, 2000.

II. Section 2 of this act shall take effect April 1, 2001.

III. Section 3 of this act shall take effect upon its passage.

IV. Sections 4 and 6 of this act shall take effect January 1, 2001.

V. The remainder of this act shall take effect July 1, 2000.

LBAO
00-2184
11/22/99

HB 1189-FN - FISCAL NOTE

AN ACT relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

FISCAL IMPACT:

The Department of Employment Security has determined this bill will increase state expenditures by $8,794, county expenditures by $1,172 and local expenditures by $18,760 in FY 2001. There will be no fiscal impact on state, county and local revenues.

METHODOLOGY:

The Department established the fiscal impact of this bill as follows:

- Section 1 of the bill will be effective for nine months of FY 2001 and will increase expenditures from the State's Unemployment Trust Fund by $812,250. State expenditures are estimated to increase by $6,092, county expenditures by $812 and local expenditures by $12,996;
- Section 2 of the bill will be effective for the remaining three months of FY 2001 and will increase expenditures from the State's Unemployment Trust Fund by $360,249. State expenditures are estimated to increase by $2,702, county expenditures by $360 and local expenditures by $5,764. Estimates are calculated using unemployment data from the 1998-benefit year. (Thirty-four million total benefits paid which were adjusted to reflect legislated benefit increases which became effective April 1, 1999.) The cost of unemployment compensation paid by the state, county and local governments, which are reimbursed dollar for dollar to the Department by the governmental entity, normally are .75%, .10% and 1.6%, respectively, of the total benefits paid; and
- Section 5 of the bill may have a minimal, if any, fiscal impact.

The Department did not provide any estimates beyond FY 2001.

Amendments

Rep. Turner, Belk. 7
January 21, 2000
2000-3165h
05/09

Amendment to HB 1189-FN

Amend the bill by replacing section 6 with the following:

6 Repeal. The following are repealed:

I. RSA 1996, 49:7, III, relative to termination of the administrative contribution on July 1, 2002, is repealed.

II. RSA 282-A:112, III, relative to annual audits by private firms.

III. RSA 282-A:140, I(b), relative to annual audits by private firms.

2000-3165h

AMENDED ANALYSIS

This bill:

I Makes changes to the weekly and maximum benefits available to persons receiving unemployment compensation for the next 2 years.

II. Creates an exemption within a group of temporary, part-time employees not eligible to receive benefits.

III. Increases fines for employers failing to file required paperwork with the department of employment security.

IV. Removes a contingency date from a provision authorizing the department of employment security advisory council to review administrative funding provisions in the event the federal government were to devolve employment security programs to the state.

V. Repeals 1996, 49:7, II; RSA 282-A:112, III; and RSA 282-A:140, I(b).

This bill was requested by the department of employment security.

Speakers

11AM

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 189-FN Date 1/26/17

Committee Labor

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Sen. Kate Wheeler	District 21			✓	
Colleen Yont	NH P.O. Jobby			✓	
Rodney E. Tenney	Concord	225-2841	CFAM	✓	
Mark S. MacKenzie	Pembroke	224-4764	AFL-CIO	✓	

Hearing Minutes

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB1189

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: January 26, 2000

LOB ROOM: 306 **Time Public Hearing Called to Order:** 11:05am

Time Adjourned: 12:05pm

(please circle if present)

Committee Members: Reps. Daniels, Turner, Clegg, Bishop, Christiansen, Kennedy, Putnam, Bridle, Gilman, D. Hall, Torressen, N. Wall, Whittier, Hinman, Mears, Baroody, Hutchinson, Kelley, Wiggins, Heon, Goley and McColgan.

Bill Sponsors: Rep. Turner, Rep. Bishop, Sen. Wheeler

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Turner, Sponsor, stated that the Advisory Council approved 6-0. Amendment 2000-3165h proposed.

* **Darryl Gates, DES**, supports this bill.

Questions from Rep. Bridle, Rep. Baroody, Rep. Hutchinson, Rep. Mears.

Kathy Eneguess, BIANH, also a member of the Advisory Council asked if we look at funds in a different way – i.e., training and retraining. Co-mingle funds? New efficiencies exist to update operation. How can employers benefit from services of the state; variety of departments affect programs and should be coordinated. Ref. – Workforce Opportunities Act.

Questions from Rep. Wiggins, rep. Mears, Rep. Torressen, Rep. Hutchinson, Rep. Whittier and Rep. McColgan regarding Section 4.

Rep. Turner stated that impact on all state offices by federal reduction is tremendous. Funds help all people.

Chairman Daniels appointed the following committee members to a sub-committee to study this bill: Rep. Daniels – Chairman, Rep. Clegg, Rep. Mears.

Respectfully submitted,

Nancy W. Wall, Clerk pro-tem

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB1189

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: 1/26/00

LOB ROOM: 306 **Time Public Hearing Called to Order:** 11:05 AM

Time Adjourned: 12:05

(please circle if present)

Committee Members: Reps. Daniels, Turner, Clegg, Bishop, Christiansen, Kennedy, Putnam, Bridle, Gilman, D. Hall, Torressen, N. Wall, Whittier, Hinman, Mears, Baroody, Hutchinson, Kelley, Wiggins, Heon, Goley and McColgan.

Bill Sponsors: Rep. Turner, Rep. Bishop, Sen. Wheeler

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sponsor: Rep. Turner – Advisory Council approved 6-0

* Amendment 2000-3165h proposed

Darryl Jalis – supports the bill (written testimony)*
Dept of Empl. Security with proposed amendment attached

Questions from Bridle/Baroody/Hutchinson/Mears

Kathy Eneguess (also member of Advisory Council)
Bus + Industry

Can we look at funds in a different way?
(i.e. Training and Re-Training) Co-mingle funds?
New efficiencies exist to update operations.
How can employers benefit from services of the state;
Variety of depts. affect programs and should be coordinated.
ref: Workforce Opportunities Act

(over)

Questions from (all re: Sec. 4)
Higgins, Mears, Torrescano, Hutchinson, Whittier
and McColgan

Rep. Turner – included Rep Bishop + Sen. Wheeler.
Impact on all state offices by dept reduction is tremendous;
funds help all people.

Mr Wernsberger

Sub Committee
Daniels
Clegg
Mears

Sub-Committee Actions

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SUBCOMMITTEE WORK SESSION ON HB1189-FN

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: February 22, 2000

Subcommittee Members: Reps. Daniels, Clegg and Mears

Comments and Recommendations: The subcommittee met at 8:30am on February 22, 2000 to discuss the administrative funding DES receives. Rep. Daniels and Clegg were present. Rep. Mears was absent because of death in the family. A suggestion had been made that these funds be diverted to the Workforce Opportunity Council for training. DES Deputy Commissioner Weisenburger noted that DES was not receiving their expected funding from the US Department of Labor and that more cuts seemed imminent. If the administrative funds were to be taken from DES, they would have to close four (4) offices and lay off staff. Following discussion Rep. Clegg moved that the bill be reported to the full committee as OUGHT TO PASS WITH AMENDMENT, the Turner amendment (3165h) having been previously accepted. The motion passed on a 2-0 vote. The subcommittee adjourned at 8:50am.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Clegg

Seconded by Rep. Daniels

Vote: 2-0

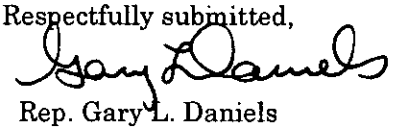
Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,



Rep. Gary L. Daniels
Subcommittee Chairman/Clerk

New Hampshire House of Representatives
Labor, Industrial & Rehabilitative Services
Legislative Office Building – Room 306
Concord, N.H. 03301
(603) 271-3470

Gary L. Daniels
Chairman

Reps. Daniels and Clegg were present Rep. Means was absent because of death in the family.

HB 1189
subcom minutes

The subcommittee met at 8:30 a.m. on 2/22 to discuss the administrative funding DES receives. A suggestion had been made that these funds be diverted to the Workforce Opportunity Council for training.

DES Deputy Commission Weisenberger noted that DES was not receiving their expected funding from the U.S. Dept. of Labor and that more cuts seemed imminent. If the administrative funds were to be taken from DES, they would have to close

(over)

4 offices and lay off staff.

~~The subcommittee~~

Following discussion Rep. Clegg moved that the bill be reported to the full committee as OTP/A, the Turner amendment (3165h) having been previously accepted. The motion passed on a 2-0 vote.

The subcommittee adjourned at 8:50 a.m.

For the subcommittee

Gary L. Daniels

Sub-Committee Minutes

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SUBCOMMITTEE WORK SESSION ON HB1189

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: February 09, 2000

Subcommittee Members: Reps. Daniels, Clegg and Mears

Comments and Recommendations: The subcommittee on HB 1189 met on February 8 at 11:00 a.m., and again on February 9 at 9:00 a.m. At both work sessions the discussion centered around two parts of the bill - that which created an exemption within a group of temporary, part-time, contract basis workers not eligible to receive employment security, and that part of the bill which removed a sunset date pertaining to administrative funding. The February 8 meeting, which was used to primarily identify any contentious parts of the bill was recessed until February 9 at 9:00 a.m.

On February 9, we focused primarily on RSA 282-A9 amendment (temporary, part-time, contract basis workers). The amendment pertaining to temporary, part-time, contract basis workers was meant to bring us into compliance with federal law regarding the exemption from the definition of "Employment." This exemption was original introduced in SB 32 in the 1999 session. The legislative intent in exempting temporary, part-time, contract basis workers who performed mystery shopping or demonstrated or gave out samples of products from the definition of "Employment," was to permit those who wished to work under contract as independent contractors to do so, while permitting businesses to retain an employee classification on individuals that they so chose to use as employees. A proposed amendment by Darrell Gates of the Department of Employment Security (DES) generated much discussion as to whether or not the amendment would uphold the legislative intent. In the end, the Department agreed to clarify in rules the definition of "temporary, part-time, contract basis" and bring this definition before the subcommittee for approval.

The other point of contention pertained to the use of administrative funds that are now used by the Department of Employment Security to run some of their offices. The practice of using these funds (a portion of the SUTA tax) for administrative funding was due to sunset on July 1, 2002. HB 1189 would remove that sunset date, making this funding practice permanent. A suggestion was made by the Business and Industry Association representative that these funds be used to support training within the Workforce Opportunity Council (WOC) rather than be used by DES. DES, who claimed that their federal funding had been severely cut back said that they would have to close four or five branch offices if they did not have this funding.

The February 9 meeting was recessed until February 15 at 2:30 p.m., at which time we will focus our discussion on the administrative funding issue.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Gary L Daniels

Rep. Subcommittee Chairman/~~Clerk~~

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SUBCOMMITTEE WORK SESSION ON HB1189

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: February 15, 2000

Subcommittee Members: Reps. Daniels, Clegg and Mears

Comments and Recommendations: Recessed to February 22, 2000 at 8:30am.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Robert E. Clegg, Jr.
Subcommittee Chairman/Clerk

2:30pm

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SUBCOMMITTEE WORK SESSION ON HB1189

BILL TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE:

Subcommittee Members: Reps.

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Recessed to 2/22 8:30 AM

Respectfully submitted,

Rep. K. Clegg
Subcommittee Chairman/Clerk

Testimony

House Bill 1189–FN

House Labor, Industrial, Rehabilitative Services Committee

January 26, 2000

The N. H. Department of Employment Security and the New Hampshire Unemployment Compensation Advisory Council support HB 1189-FN for the following reasons. Additional testimony follows the Executive Summary.

- Section 1 increases the maximum weekly benefit amount, effective July 2, 2000, from $301 to $331. The new maximum amount was calculated based upon a 53% replacement rate of the 1999 average weekly wage of $ 625.00.

- Section 2 increases the maximum weekly benefit amount, effective April 1, 2001, to $342.00 based upon a 53% replacement rate of the projected average weekly wage of $645.00 for the 2000 calendar year.

- Section 3 rectifies a conformity issue with the U.S. Department of Labor (USDOL) relative to SB 32 which was passed last year exempting the services of product demonstrators and mystery shoppers. Section 3 addresses the requirements of the Internal Revenue Code which stipulates that this exemption cannot apply when these services are performed for the state or any of its political subdivisions, or non-profit 501(c)(3) organizations. This amendment to RSA 282-A:9.IV(w) is needed for employers to continue receiving the 90% offset credit against the Federal Unemployment Tax.

  The department suggests an amendment to Section 3 of HB 1189-FN which eliminates the words, "temporary and part-time" from this exemption and provides more detail regarding the written contract desired by the legislative committee who studied SB 32 this past summer.

- Section 4 eliminates the sunset provision on the administrative contribution that was passed in 1996. The sunset provision was included in the original legislation as there was hope that the federal government would support devolving the federal portion of the Federal Unemployment Tax to the States. Four years later, this seems unlikely. The department is requesting a permanent extension of the administrative contribution to address the perpetually decreasing administrative grants that the department receives to operate the Unemployment Compensation Program and provide free public employment services to citizens throughout the state.

  In the unlikely event that the federal portion of the Federal Unemployment Tax is devolved to the states, the statute will still require the Advisory Council, under RSA 282-A:87 (IV)(e), to meet and review the administrative funding provisions and advise the Commissioner whether to submit legislation repealing the Administrative Contribution.

- Section 5 raises the civil penalty from $10 to $25 that is assessed on employers who fail to file timely or complete Tax and Wage Reports. The current fee is weakening as a deterrent to filing timely and complete reports as evidenced by the 50% repeat rate we are experiencing after the first fee is assessed.

- Section 6 repeals the date the administrative contribution is slated to expire, and repeals the requirement, under RSA 282-A:140, that the department undergo an independent annual audit on the various funds provided for under the Unemployment Compensation Law. The department is seeking this repeal, upon the suggestion of the Office of Legislative Budget Assistant, as the audit required under RSA 282-A:140 is duplicative to the annual audit conducted by the LBA on all federally funded state agencies.

EMPLOYMENT SECURITY'S PROPOSED AMENDMENT TO HOUSE BILL 1189

January 24, 2000

Amend Section 3 of the bill by striking the section and inserting in place thereof the following:

3. Promotional Contract Workers. Amend RSA 282-A:9, IV (w) to read as follows:

(w) Service performed by an individual who demonstrates products, offers samples of products or promotional materials to customers, conducts store audits or performs mystery shopping as part of an advertising or sales promotion for the products if the services:

(1) Are conducted in the field or over the telephone on premises not used or controlled by the person for whom such contract services are being provided; and

(2) Are pursuant to a written contract establishing the individual as an independent contractor; and

(3) Are not provided for the state or any of its political subdivisions or for an organization described in section 501 (c)(3) and exempt under section 501 (a) of the Internal Revenue Code.

Voting Sheets

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB1189

BILL TITLE: **relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.**

DATE: March 16, 2000

LOB ROOM: 306

Amendments:

Sponsor: Rep. Turner — OLS Document #: 2000 3165h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP (OTP/A) ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Clegg

Seconded by Rep. Mears

Vote: 19-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 19-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Nancy W. Wall

Rep. Nancy W. Wall, Clerk

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB1189

BILL TITLE: **relative to benefit amounts, fees assessed and the of the stae unemployment compensation law.**

DATE: 3/16/00

LOB ROOM: 306

Amendments:

Sponsor: Rep. Turner — OLS Document #: 3165h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Clegg

Seconded by Rep. Meare

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: ✓

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jane R. Kelley, Clerk

OFFICE OF THE HOUSE CLERK 2000 SESSION

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

Bill #: 189 Title: rel to benefit amts/fees assessed and of the state unemployment comp. law.

PH Date: / / Exec Session Date: 2/23/00

Motion: OTP/A Amendment #:

MEMBER	YEAS	NAYS
Daniels, Gary L, Chairman		
Turner, Robert H, V Chairman	✓	
Clegg, Robert E	✓	
Bishop, Franklin C		
Christiansen, Lars T	✓	
Kennedy, Richard E	✓	
Putnam, Ed M	✓	
Bridle, Russell D	✓	
Gilman, G Michael	✓	
Hall, David A	✓	
Torressen, Gary P	✓	
Wall, Nancy W	✓	
Whittier, John M	✓	
Hinman, Harry T	✓	
Mears, Edgar H	✓	
Baroody, Benjamin C	✓	
Hutchinson, Rebecca C	✓	
Kelley, Jane P	✓	
Wiggins, Celestine K	✓	
Heon, Richard F	✓	
Goley, Jeffrey P	✓	
McColgan, Philip J		
TOTAL VOTE: Printed: 12/30/1999	19	0

Committee Report

COMMITTEE REPORT

COMMITTEE: **Labor, Industrial and Rehabilitative Services**

BILL NUMBER: **HB 1189-FN**

TITLE: relative to benefit amounts, fees assessed and the application of the state unemployment compensation law.

DATE: March 16, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill changes benefit amounts in employment compensation weekly benefits, increases fines to employers not filing on a timely basis the required reports and removes the expiration date authorizing the Department of Employment Security to maintain its 1/10th of 1% administration fee.

Vote 19-0.

Rep. Robert E. Clegg, Jr.
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1189-FN, relative to benefit amounts, fees assessed and the application of the state unemployment compensation law. OUGHT TO PASS WITH AMENDMENT

Rep. Robert E. Clegg, Jr. for Labor, Industrial and Rehabilitative Services:

This bill changes benefit amounts in employment compensation weekly benefits, increases fines to employers not filing on a timely basis the required reports and removes the expiration date authorizing the Department of Employment Security to maintain its 1/10th of 1% administration fee. Vote 19-0.

HB 1189

This bill changes benefit amounts in employment compensation weekly benefits, increases fines to employers not filing on a timely basis the required reports and removes the expiration date authorizing the Dept of Employment Security to maintain its 1/10 of 1% administration fee

Rep Clegg OR RNT