

E AND R AMENDMENTS TO LB 567

Introduced by McKinney, 11, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 48-625, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 48-625 (1) Except as provided in subsection (4) of this section,
6 each ~~Each~~ eligible individual who is unemployed in any week shall be paid
7 with respect to such week a benefit in an amount equal to his or her full
8 weekly benefit amount if he or she has wages payable to him or her with
9 respect to such week equal to one-fourth of such benefit amount or less.
10 In the event he or she has wages payable to him or her with respect to
11 such week greater than one-fourth of such benefit amount, he or she shall
12 be paid with respect to that week an amount equal to the individual's
13 weekly benefit amount less that part of wages payable to the individual
14 with respect to that week in excess of one-fourth of the individual's
15 weekly benefit amount. In the event there is any deduction from such
16 individual's weekly benefit amount because of earned wages pursuant to
17 this subsection or as a result of the application of section 48-628.02,
18 the resulting benefit payment, if not an exact dollar amount, shall be
19 computed to the next lower dollar amount.

20 (2) Any amount of unemployment compensation payable to any
21 individual for any week, if not an even dollar amount, shall be rounded
22 to the next lower full dollar amount.

23 (3) The percentage of benefits and the percentage of extended
24 benefits which are federally funded may be adjusted in accordance with
25 the Balanced Budget and Emergency Deficit Control Act of 1985, Public Law
26 99-177.

27 (4) To the extent authorized under federal law, if an individual is

1 eligible for an equal or greater weekly benefit amount under a federal
2 unemployment program than the weekly benefit amount which the individual
3 is eligible for under the Employment Security Law, the commissioner shall
4 suspend the payment of state unemployment benefits to such individual
5 while such individual is receiving the federal unemployment benefit. Such
6 suspension shall terminate upon the individual's exhaustion of benefits
7 available under the federal unemployment program. An individual shall not
8 be eligible to receive the federal weekly benefit and the state
9 unemployment weekly benefit during the same week. This subsection shall
10 not apply to any federal unemployment benefit which is paid in addition
11 to the state weekly benefit amount.

12 Sec. 2. Section 48-626, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 48-626 ~~(1) For any benefit year beginning before October 1, 2018,~~
15 ~~any otherwise eligible individual shall be entitled during any benefit~~
16 ~~year to a total amount of benefits equal to whichever is the lesser of~~
17 ~~(a) twenty-six times his or her benefit amount or (b) one-third of his or~~
18 ~~her wages in the employment of each employer per calendar quarter of his~~
19 ~~or her base period; except that when any individual has been separated~~
20 ~~from his or her employment with a base period employer under the~~
21 ~~circumstances under which he or she was or could have been determined~~
22 ~~disqualified under section 48-628.10 or 48-628.12, the total benefit~~
23 ~~amount based on the employment from which he or she was so separated~~
24 ~~shall be reduced by an amount equal to the number of weeks for which he~~
25 ~~or she is or would have been disqualified had he or she filed a claim~~
26 ~~immediately after the separation, multiplied by his or her weekly benefit~~
27 ~~amount, but not more than one reduction may be made for each separation.~~
28 ~~In no event shall the benefit amount based on employment for any employer~~
29 ~~be reduced to less than one benefit week when the individual was or could~~
30 ~~have been determined disqualified under section 48-628.12.~~

31 (1) (2) For any benefit year beginning before ~~on or after~~ October 1,

1 ~~2021 2018~~, any otherwise eligible individual shall be entitled during any
2 benefit year to a total amount of benefits equal to whichever is the
3 lesser of (a) twenty-six times his or her weekly benefit amount or (b)
4 one-third of his or her wages in the employment of each employer per
5 calendar quarter of his or her base period; except that when any
6 individual has been separated from his or her employment with a base
7 period employer under circumstances under which he or she was or could
8 have been determined disqualified under section 48-628.10 or 48-628.12,
9 the total benefit amount based on the employment from which he or she was
10 so separated shall be reduced by an amount determined pursuant to
11 subsection (2) ~~(3)~~ of this section, but not more than one reduction may
12 be made for each separation. In no event shall the benefit amount based
13 on employment for any employer be reduced to less than one benefit week
14 when the individual was or could have been determined disqualified under
15 section 48-628.12.

16 (2) ~~(3)~~ For purposes of determining the reduction of benefits
17 described in subsection (1) ~~(2)~~ of this section:

18 (a) If the claimant has been separated from his or her employment
19 under circumstances under which he or she was or could have been
20 determined disqualified under section 48-628.12, his or her total benefit
21 amount shall be reduced by:

22 (i) Two times his or her weekly benefit amount if he or she left
23 work voluntarily for the sole purpose of accepting previously secured,
24 permanent, full-time, insured work, which he or she does accept, which
25 offers a reasonable expectation of betterment of wages or working
26 conditions, or both, and for which he or she earns wages payable to him
27 or her; or

28 (ii) Thirteen times his or her weekly benefit amount if he or she
29 left work voluntarily without good cause for any reason other than that
30 described in subdivision (2)(a)(i) ~~(3)(a)(i)~~ of this section; and

31 (b) If the claimant has been separated from his or her employment

1 under circumstances under which he or she was or could have been
2 determined disqualified under section 48-628.10, his or her total benefit
3 amount shall be reduced by fourteen times his or her weekly benefit
4 amount.

5 (3) For any benefit year beginning on or after October 1, 2021, any
6 otherwise eligible individual shall be entitled during any benefit year
7 to a total amount of benefits equal to whichever is the lesser of (a)
8 twenty-six times his or her weekly benefit amount or (b) one-third of his
9 or her wages in the employment of each employer per calendar quarter of
10 his or her base period; except that when any individual has been
11 separated from his or her employment with the most recent insured
12 employer under circumstances under which he or she was or could have been
13 determined disqualified under section 48-628.10 or 48-628.12, the total
14 benefit amount based on the employment from which he or she was so
15 separated shall be reduced by an amount determined pursuant to subsection
16 (4) of this section, but not more than one reduction may be made for such
17 separation. In no event shall the benefit amount based on employment for
18 any employer be reduced to less than one benefit week when the individual
19 was or could have been determined disqualified under section 48-628.12.

20 (4) For purposes of determining the reduction of benefits described
21 in subsection (3) of this section:

22 (a) If the claimant has been separated from his or her employment
23 under circumstances under which he or she was or could have been
24 determined disqualified under section 48-628.12, his or her total benefit
25 amount shall be reduced by thirteen times his or her weekly benefit
26 amount if he or she left work voluntarily without good cause; and

27 (b) If the claimant has been separated from his or her employment
28 under circumstances under which he or she was or could have been
29 determined disqualified under section 48-628.10, his or her total benefit
30 amount shall be reduced by fourteen times his or her weekly benefit
31 amount.

1 (5) ~~(4)~~ For purposes of sections 48-623 to 48-626, wages shall be
2 counted as wages for insured work for benefit purposes with respect to
3 any benefit year only if such benefit year begins subsequent to the date
4 on which the employer by whom such wages were paid has satisfied the
5 conditions of section 48-603 or subsection (3) of section 48-661 with
6 respect to becoming an employer.

7 (6) ~~(5)~~ In order to determine the benefits due under this section
8 and sections 48-624 and 48-625, each employer shall make reports, in
9 conformity with reasonable rules and regulations adopted and promulgated
10 by the commissioner, of the wages of any claimant. If any employer fails
11 to make such a report within the time prescribed, the commissioner may
12 accept the statement of such claimant as to his or her wages, and any
13 benefit payments based on such statement of earnings, in the absence of
14 fraud or collusion, shall be final as to the amount.

15 Sec. 3. Original sections 48-625 and 48-626, Reissue Revised
16 Statutes of Nebraska, are repealed.

17 2. On page 1, strike lines 2 through 4 and insert "sections 48-625
18 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions
19 relating to payment of weekly benefits and maximum annual benefit
20 amounts; to harmonize provisions; and to repeal the original sections."