

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB271

Hearing Date: Monday January 26, 2015
Committee On: Business and Labor
Introducer: Ebke
One Liner: Change and eliminate provisions of the Employment Security Law

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Harr, Ebke, Crawford, Chambers, Johnson, McCollister
Nay:
Absent:
Present Not Voting: 1 Senator Bloomfield

Verbal Testimony:

Proponents:
Senator Laura Ebke
John Albin

Representing:
Introducer
Nebraska Department of Labor

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Sec. 1-3. LB 271 is primarily a technical bill that removes dates that have passed:

Base period (July 1, 2011); Unemployment Trust Fund (March 2, 2001); Wages (Dec. 31, 1985); Benefits paid under a supplemental unemployment benefit plan (March 2, 2001); Worksite (Jan. 1, 2012); Employer: As defined by Employment Security Law (prior to May 27, 1971 and after Dec. 31, 1971), As defined by 48-604(4)(b), (c) and (d) (after Dec. 31, 1971), and State employer (prior to Sept. 2, 1977 and after Dec. 31, 1977); Employment: As defined by services performed in the employ of an Indian tribe as defined in 26 U.S.C. 3306 (u) (as such section existed on March 2, 2001).

Sec. 4. The bill provides that the Commissioner of Labor will receive a salary rather than a salary plus a sum as determined by the Governor.

Sec. 5. Because the benefit years for Sept. 30, 2006 and prior have passed, LB 271 amends how unemployment benefits are computed by eliminating the provisions accounting for the time period prior to Sept. 30, 2006.

Sec. 6. and Sec. 7. Because the tax years prior to Jan. 1, 2010 have closed, the bill eliminates the requirement of combined taxes filing and quarterly wage reports for employers whose annual payroll for either of the two preceding calendar years equaled or exceeded \$500,000 based on years beginning before Jan. 1, 2010.

Sec. 9. Since no nonprofit today could become subject to the Employment Security Law on Jan. 1, 1972 as the date has passed, the bill eliminates this provision where a nonprofit organization may elect to become liable for payments in lieu

of contributions.

Sec. 10. LB 271 removes the requirement that repaid benefits must be remitted to the State Treasurer, and instead funds will be remitted to the Commissioner of Labor for credit to the Unemployment Compensation Fund.

Sec. 11. Since claimant benefit years of year 2000 and prior have passed, the bill eliminates the designated dates of Dec. 31, 1995 and Dec. 31, 2000 for determining benefit amounts.

Explanation of amendments:

The committee amendment (AM 27) replaces dates referencing federal laws as they existed on January 1, 2015 rather than March 2, 2001.

Sec. 1 (28) and (29)(g). The amendment defines Unemployment Trust Fund as such section existed on Jan. 1, 2015 rather than March 2, 2001. The amendment references the Internal Revenue Service Revenue Ruling as such ruling existed on Jan. 1, 2015 rather than March 2, 2001.

Sec. 3 (2) and (6)(a). The amendment defines employment to include services performed in the employ of an Indian tribe as defined in 26 U.S.C. 3306(u) as such section existed on Jan. 1, 2015 rather than March 2, 2001. It also references the Federal Unemployment Tax Act as the act existed on Jan. 1, 2015 rather than March 2, 2001.

Burke Harr, Chairperson