

No. 47

AN ACT

SB 1446

Amending the act of December 5, 1936 (1937 P.L.2897, No.1), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," further providing for the determination of 'on' or 'off' indicators and for the provisions of Federal law to become part of this law under certain circumstances.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (d) of section 401-A, act of December 5, 1936 (1937 P.L.2897, No.1), known as the "Unemployment Compensation Law," added February 9, 1971 (P.L.1, No.1), is amended to read:

Section 401-A. Definitions.—As used in this article:

* * *

(d) There is a "State 'on' indicator" for this State for a week if the Secretary of Labor and Industry determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) under this act:

(1) equaled or exceeded one hundred twenty per centum of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years, and

(2) equaled or exceeded four per centum.

Effective with respect to compensation for weeks of unemployment beginning before April 1, 1974, and beginning after December 31, 1973, the determination of whether there has been a State 'on' or 'off' indicator beginning or ending any extended benefit period shall be made as if subsection (d) did not contain clause (1) thereof and as if subsection (e) did not contain clause (1) thereof.

* * *

Section 2. The act is amended by adding a section to read:

Section 408-A. Incorporation of Federal Law.—If the Federal-State Extended Unemployment Compensation Act of 1970 is amended so as to authorize the Commonwealth to pay benefits for a period of extended duration beyond that currently provided by this article, the

amended provisions of such Federal law shall become a part of this article to the extent necessary to authorize the payment of benefits for such extended duration.

Section 3. This act shall be effective immediately as of the first day of the calendar week in 1974 which becomes compensable under the extended benefits program by reason of the State "on" indicator revised by this act.

APPROVED—The 26th day of March, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 47.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and "T".

Secretary of the Commonwealth.