

LAWS OF WISCONSIN  
SPECIAL SESSION OF 1958

No. 1, S.]

[Published June 18, 1958.

CHAPTER 1

AN ACT to amend 108.05 (1) (schedule) (line 29) and 108.18 (8) (a); and to create 108.05 (1) (schedule) (lines 30, 31, 32 and 33), 108.061 (1m), 108.162, 108.163 and 108.18 (8) (j), (k) and (L) of the statutes, relating to unemployment compensation and the unemployment reserve fund.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 108.05 (1) (schedule) (line 29) of the statutes is amended, subject to the timing specified by section 7 of this act, to read:

108.05 (1)	SCHEDULE	Weekly Benefit Rate
Line	Average Weekly Wage Class	
29.	\$74.01 * * * to \$76.00	\$38

SECTION 2. 108.05 (1) (schedule) (lines 30, 31, 32 and 33) of the statutes are created, subject to sections 7, 8 and 9 of this act, to read:

108.05 (1)	SCHEDULE	Weekly Benefit Rate
Line	Average Weekly Wage Class	
30.	\$76.01 to \$78.00	\$39
31.	78.01 to 80.00	40
32.	80.01 to 82.00	41
33.	82.01 or more	42

SECTION 3. 108.061 (1m) of the statutes is created to read:

108.061 (1m) The federal temporary unemployment compensation act of 1958, which includes additional benefits for qualified veterans, shall be treated hereunder as an amendment of said Title IV.

SECTION 4. 108.162 and 108.163 of the statutes are created to read:

108.162 TEMPORARY EMERGENCY BENEFITS. (1) Emergency benefits, additional to the normal benefits payable under this chapter, are hereby made available as to weeks of unemployment beginning after June 21, 1958 and before April 1, 1959, pursuant to this section.

(2) Emergency benefits hereunder shall be payable only to an otherwise eligible individual:

(a) Who has been paid normal benefits under this chapter for one or more weeks ended after June 30, 1957.

(b) All of whose normal benefit rights, available under this chapter and under all other unemployment compensation laws (other than temporary additional benefit laws), have become exhausted (namely used up or, if not used up, expired) as of a close-of-week after June 30, 1957.

(3) As to a claimant under this section, such close-of-week shall be considered his exhaustion date hereunder. Where he has had more than one such close-of-week date, as of which all such normal benefit rights have become thus exhausted, the last such date which precedes his first

emergency benefit week hereunder shall be considered his exhaustion date. The 52 weeks preceding a claimant's exhaustion date shall be considered his exhaustion year hereunder.

(4) In determining a claimant's weekly benefit rate and maximum amount of emergency benefits hereunder, the commission's deputy shall consider the weekly benefit rates and the sum total of all uncanceled potential benefits which were available to the claimant under those determinations (allowing normal benefits, based on employment covered by this chapter) which were used up or expired within the claimant's exhaustion year, as follows:

(a) The highest normal weekly benefit rate which applied to the claimant for any week within his exhaustion year shall be his weekly benefit rate under this section.

(b) A claimant's maximum amount of emergency benefits hereunder shall be the lower of the following amounts:

1. 13 times that weekly benefit rate; or

2. That multiple of one-half of said weekly benefit rate which is nearest to 50 percent of the claimant's said sum total of uncanceled potential benefits under those determinations. If said 50 percent is not such a multiple, but is equidistant from 2 such multiples, the lower multiple shall apply.

(5) No waiting period shall be required as to benefits under this section, but the other eligibility (and suspension) provisions of s. 108.04 (except sub. (4)) shall apply.

(6) No benefits shall be paid under this section for any week of unemployment as to which the claimant has any normal benefit rights (other than temporary additional benefit rights) available under any unemployment compensation law.

(7) The fund's treasurer shall maintain within the fund's balancing account a special account to which all benefits paid under this section shall be charged.

108.163 FEDERAL AGREEMENTS. (1) To make available to veterans and federal employes any additional federal benefits authorized for them by the federal temporary unemployment compensation act of 1958, the commission may enter into administrative agreements (consistent with said act and this chapter) with the secretary of labor, and may agree to such clarifying amendments thereof as it deems necessary or desirable, and may take all appropriate administrative actions pursuant thereto.

(2) Any additional benefits under said federal act which are based on normal benefits payable under a federal unemployment compensation law (for veterans or federal employes) shall be administered under a separate agreement (or amendment of an existing agreement), shall be separately determined by the commission's deputy consistently with s. 108.04 (12) (b), and shall be separately handled by the fund's treasurer.

SECTION 5. 108.18 (8) (a) of the statutes is amended to read:

108.18 (8) (a) An adjusted schedule of experience rates shall apply for a given calendar year, to employers determined by the commission to be eligible therefor, under the conditions specified in this subsection, provided the fund's balancing account, as of the close of October 31 (namely 2 months before the start of such year), had a "net balance" \* \* \* *determined as specified in s. 108.16 (11)* of \$25,000,000 or more.

SECTION 6. 108.18 (8) (j), (k) and (L) of the statutes are created to read:

108.18 (8) (j) The fund's treasurer shall determine annually, by November 21:

1. The net total of all benefits paid by the fund (excluding benefits financed by the federal government) in the most recent one-year period ended on October 31; and

2. One percent of the gross wages total most recently determined and recorded under par. (b); and

3. The amount, if any, by which that benefit total exceeds that one percent.

(k) Subject to pars. (a) and (e), if the excess amount thus determined under par. (j) 3 is:

1. More than \$10,000,000 but not over \$20,000,000, the adjusted schedule of experience rates specified by par. (f) shall apply for the ensuing calendar year.

2. More than \$20,000,000 but not over \$30,000,000, the adjusted schedule of experience rates specified by par. (g) shall apply for the ensuing calendar year.

3. More than \$30,000,000, the adjusted schedule of experience rates specified by par. (h) shall apply for the ensuing calendar year.

(L) In November 1958 and in November 1959 the fund's treasurer shall, in determining under par. (j) the net total of all benefits paid by the fund within the relevant period, include the benefits paid pursuant to s. 108.162.

SECTION 7. The changes effected by this act in s. 108.05 (1) of the statutes shall apply only to those benefit determinations (under chapter 108 of the statutes) whose first benefit check is issued after July 19, 1958.

SECTION 8. In connection with the changes effected by this act in s. 108.05 (1) of the statutes, the benefits payable under any normal benefit determination (under chapter 108 of the statutes) whose first benefit check was or is issued before July 19, 1958 and whose weekly benefit rate would otherwise be \$38 shall be increased by applying a weekly benefit rate of \$40 to each benefit check issued thereunder after the calendar week in which this act is officially published.

SECTION 9. As to benefit determinations (under chapter 108 of the statutes) whose first benefit check is issued after July 19, 1959, the maximum weekly benefit rate under any such determination shall be \$38, and the application of s. 108.05 (1) (schedule) (lines 31, 32 and 33) of the statutes, as created by this act, is hereby limited accordingly.

Approved June 16, 1958.