

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB219)

Received: 5/31/2013 Received By: jkuesel
Wanted: As time permits Same as LRB:
For: Legislative Reference Bureau 6-6778 By/Representing: Kuesel
May Contact: Drafter: jkuesel
Subject: Unemployment Insurance Addl. Drafters: mduchek

Extra Copies:

Submit via email: YES
Requester's email: Jeffery.Kuesel@legis.wisconsin.gov
Carbon copy (CC) to: Janell.Knutson@dwd.wisconsin.gov
Scott.Sussman@dwd.wisconsin.gov
BJ.Dernbach@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Trailer items from 2011 session.

Instructions:

Trailer items from 2011 session.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 5/31/2013	csicilia 5/31/2013	rschluet 5/31/2013	_____			
/1	jkuesel 6/2/2013			_____	mbarman 5/31/2013		
/2	jkuesel	csicilia	jmurphy	_____	lparisi		

sent to Rep. Knodl

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	6/3/2013	6/3/2013	6/3/2013	_____	6/3/2013		
/3		csicilia 6/4/2013	rschluet 6/4/2013	_____	sbasford 6/4/2013	mbarman 6/4/2013	

FE Sent For:

<END>

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/2	mduchek	csicilia	jmurphy	_____	lparisi		
13	<i>mduchek</i> <i>6/3/13</i>	<i>13</i>	<i>6/4</i> <i>13</i>	<i>9</i> <i>6/4/13</i>			

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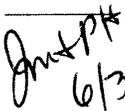
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/1	jkuesel 6/2/2013			_____	mbarman 5/31/2013		
/2	mduchek	csicilia	 6/3	 6/3			

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/?	jkuesel 5/31/2013	csicilia 5/31/2013	rschluet 5/31/2013	_____			
/1		1/2 jys CS 0/3 1/3	Jan 6/3	_____	mbarman 5/31/2013		
FE Sent For:					Jan 6/3		

<END>

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1/?	jkuesel 5/31/2013	1 yjs	5/31/13 (circled)	(circled)			

FE Sent For:

<END>



12:30

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 219

follow

Ins MD 1

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 40, line 20: after that line insert:

3 “SECTION 65m~~9~~. 108.04 (11) (bh) of the statutes is amended to read: ✓

4 108.04 (11) (bh) In addition to ~~the penalty~~ ineligibility for benefits resulting
5 from concealment as provided in par. (be), the department shall assess a penalty
6 against the claimant in an amount equal to 15 percent of the benefit payments
7 erroneously paid to the claimant as a result of one or more acts of concealment
8 described in pars. (a) and (b).”

History: 1971 c. 40, 42, 53, 211; 1973 c. 247; 1975 c. 24, 343; 1977 c. 127, 133, 286, 418; 1979 c. 52, 176; 1981 c. 28, 36, 315, 391; 1983 a. 8, 27, 99, 168; 1983 a. 189 s. 329 (28); 1983 a. 337, 384, 468, 538; 1985 a. 17, 29, 40; 1987 a. 38 ss. 23 to 59, 107, 136; 1987 a. 255, 287, 403; 1989 a. 77; 1991 a. 89; 1993 a. 112, 122, 373, 492; 1995 a. 118, 417, 448; 1997 a. 35, 39; 1999 a. 9, 15, 83; 2001 a. 35; 2003 a. 197; 2005 a. 86; 2007 a. 59; 2009 a. 11, 287; 2011 a. 32, 123, 198, 236; 2013 a. 11.

9 **2.** Page 118, line 2: after that line insert: ✓

10 “SECTION 236m~~9~~. 2011 Wisconsin Act 198, section 47m (1) is amended to read:

1 [2011 Wisconsin Act 198] Section 47m (1) The repeal of sections 20.445 (1) (v),
2 25.17 (1) (xf), and 108.19 (1s) of the statutes takes effect on January 1, ~~2014~~ 2034.”

3

(END)



Ins MD 2

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0525/lins
MED:.....

INSERT MD1

totalling

1 **1.** Page 59, line 2: after that line insert:
2 “**SECTION 75g.** 108.05 (3) (dm) of the statutes, as affected by 2013 Wisconsin
3 Act 11, is repealed and recreated to read:
4 108.05 (3) (dm) Except when otherwise authorized in an approved work-share
5 program under s. 108.062, a claimant is ineligible to receive any benefits for a week
6 if the claimant receives from one or more employers ~~any combination of~~ wages earned
7 for work performed in that week, amounts treated as wages under s. 108.04 (1) (bm)
8 for that week, sick pay, holiday pay, vacation pay, termination pay, bonus pay, back
9 pay, or payments treated as wages under s. 108.04 (12) (e), ~~that totals~~ more than
10 \$500.”. or any combination thereof

11 ~~NOTE: NOTE: Par. (dm) (intro.) is shown as amended eff. 6-30-13 by 2013 Wis. Act 11. Prior to 6-30-13 it reads: NOTE:
(dm) A claimant is ineligible to receive any benefits for a week if the claimant receives from one or more employers:~~

~~History: 1971 c. 53; 1973 c. 247; 1975 c. 343; 1977 c. 29; 1979 c. 52; 1981 c. 28, 36; 1983 a. 8, 168, 384; 1985 a. 17, 40; 1987 a. 38 ss. 60 to 66, 136; 1987 a. 255; 1989
a. 77; 1991 a. 89; 1993 a. 373; 1995 a. 118; 1997 a. 39; 1999 a. 15, 56, 185, 186; 2001 a. 35, 43, 105; 2003 a. 197; 2005 a. 86, 142; 2007 a. 20, 59, 97; 2009 a. 287; 2011 a. 198;
2013 a. 11; s. 35.17 correction in (3) (c) 1.~~

INSERT MD2

12 **2.** Page 121, line 25: after that line insert:
13 “(11m) The treatment of section 108.05 (3) (dm) of the statutes first applies with
14 respect to weeks of unemployment beginning on January 5, 2014.”.

TECHNICAL CORRECTIONS TO AB219/SB200:

- ✓ • Section 59 amendment to s. 108.04 (1) (hm) should provide similar to other provisions that the claimant only has two-years to comply with the request by the department in order to still be eligible for benefits similar to s. 108.09 (2) (c).
May want to cross-reference s. 108.09 (2) (c);
- ✓ • Section 74 & 101 should be eliminated - The exclusion of cafeteria plan wages should only apply to their use as base period wages The change with respect to cafeteria benefit plans should apply to exclude this amount from a claimant's base period wages, but not for purposes of determining benefit year.
- • Section 89 creation of s. 108.14 (23) (a) the language provides "The department shall create and keep up-to-date a handbook for the purpose of informing employers that are subject to this chapter about the provisions and requirements of this chapter." Recommended change to this language would be "The department shall create and periodically update ~~keep up-to-date~~ a handbook for the purpose of informing employers that are or may be subject to this chapter about the provisions and requirements of this chapter."
- ✓ • Section 105 creation of s. 108.22 (8e) provides "If the department determines a payment has been made to an unintended recipient erroneously without fault on the part of the intended payee, . . ." this should be changed to "If the department determines a payment has been made to an unintended recipient erroneously without fault on the part of the intended payee or agent . . ."
- ✓ • Section 238 dealing with initial applicability:
 - ✓ (a) Paragraph (1) has the repeal and recreation of section 108.05 (1) (q) (intro.) and (r) (intro.) and (3) (a) of the statutes takes effect on June 30, 2013, or on the first Sunday after publication, whichever is later. These paragraphs deal with the work share bill. This legislation has language that "(1) . . . the department of workforce development may request approval of the joint committee on finance to delay implementation of this act until a date no later than December 31, 2013, by submitting a request to the cochairpersons of the committee." Does it make sense to have this similar language for any portion of the bill that deals with work share?
 - ✓ (b) Paragraph (2) has the sections first applying with respect to new claims filed on October 1, 2013. This should be changed to September 29, 2013 to not have the applicability fall on a Tuesday;
 - ✓ (c) Paragraph (3) has the sections first applying with respect to determinations issued on January 1, 2014. This should be changed to January 5, 2014 to correspond to other benefit matters.
 - ✓ (d) Paragraph (5) has the sections first applying "with respect to new claims for extended training benefits filed on January 5, 2014." The language should be changed to read "with respect to new claims for extended training benefits filed ~~on~~ for the week beginning December 22, 2013." This will make the ending of extended training benefits similar to other UI programs and will not make it dependent on when the claimant puts in the application, but based on when his or her eligibility and the earlier end

- On page 2 of LRBa0525/1 line 1 it currently reads "if the claimant receives from one or more employers wages earned for work" we would recommend changing this to read "if the claimant receives or will receive from one or more employers wages earned for work"

N/V • **CORRECTION TO LAST LEGISLATIVE SESSION PROVISIONS THAT AMENDED s. 108.04 (11) (b)**

Section 10 of 2011 Wisconsin Act 198 (Senate Bill 219) the language provided:

(b) If a claimant, in filing a claim for any week, conceals any of his or her wages earned in or paid or payable for that week, the claimant ~~shall forfeit benefits in accordance with par. (be). In addition, the claimant shall be denied benefits for that week~~ is ineligible for benefits as provided in par. (be).

The proposed change would treat all claimants the same who failed to answer the question, "Did you work?" accurately on required Department forms. This will treat claimants equitably when they answer the same question inaccurately.

✓ **Amend s. 108.04 (11) (b) to read:**

(b) If a claimant, in filing a claim for any week, conceals any of his or her wages earned in or paid or payable ~~for~~ and/or hours worked in that week, the claimant is ineligible for benefits as provided in par. (be).

date will ensure that it corresponds to other programs set to expire at that same time.



Now

stays

ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 219

submit

INS
1-1
INS
1-2

INS
1-8

At the locations indicated, amend the bill as follows:

1. Page 40, line 20: after that line insert:

SECTION 65m. 108.04 (11) (bh) of the statutes is amended to read:

108.04 (11) (bh) In addition to the ~~penalty~~ ineligibility for benefits resulting from concealment as provided in par. (be), the department shall assess a penalty against the claimant in an amount equal to 15 percent of the benefit payments erroneously paid to the claimant as a result of one or more acts of concealment described in pars. (a) and (b)."

2. Page 59, line 2: after that line insert:

INS X

SECTION 75m. 108.05 (3) (dm) of the statutes, as affected by 2013 Wisconsin Act 11, is repealed and recreated to read:

108.05 (3) (dm) Except when otherwise authorized in an approved work-share program under s. 108.062, a claimant is ineligible to receive any benefits for a week

1 if the claimant receives ^{or will receive} from one or more employers wages earned for work
 2 performed in that week, amounts treated as wages under s. 108.04 (1) (bm) for that
 3 week, sick pay, holiday pay, vacation pay, termination pay, bonus pay, back pay, or
 4 payments treated as wages under s. 108.04 (12) (e), or any combination thereof,
 5 totalling more than \$500.”

JWS
2-8
ATB

3. Page 118, line 2: after that line insert:

“SECTION 236m. 2011 Wisconsin Act 198, section 47m (1) is amended to read:
 [2011 Wisconsin Act 198] Section 47m (1) The repeal of sections 20.445 (1) (v),
 25.17 (1) (xf), and 108.19 (1s) of the statutes takes effect on January 1, 2014 2034.”

JWS
2109
MBAC

4. Page 121, line 25: after that line insert:

“(11m) The treatment of section 108.05 (3) (dm) of the statutes first applies with
 respect to weeks of unemployment beginning on January 5, 2014.”

JWS
13
2-12

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0525/2inJTK
JTK.....

Insert 1-1

1. Page 37, line 20: after "request" insert "within the period specified in s. 108.09 (2) (c)".

Insert 1-2

2. Page 40, line 20: after that line insert:

SECTION 65m. 108.04 (11) (b) of the statutes is amended to read:

108.04 (11) (b) If a claimant, in filing a claim for any week, conceals any of his or her wages earned in or paid or payable for ~~or payable~~ or hours worked in that week, the claimant is ineligible for benefits as provided in par. (be).

History: 1971 c. 40, 42, 53, 211; 1973 c. 247; 1975 c. 24, 343; 1977 c. 127, 133, 286, 418; 1979 c. 52, 176; 1981 c. 28, 36, 315, 391; 1983 a. 8, 27, 99, 168; 1983 a. 189 s. 329 (28); 1983 a. 337, 384, 468, 538; 1985 a. 17, 29, 40; 1987 a. 38 ss. 23 to 59, 107, 136; 1987 a. 255, 287, 403; 1989 a. 77; 1991 a. 89; 1993 a. 112, 122, 373, 492; 1995 a. 118, 417, 448; 1997 a. 35, 39; 1999 a. 9, 15, 83; 2001 a. 35; 2003 a. 97; 2005 a. 86; 2007 a. 59; 2009 a. 11, 287; 2011 a. 32, 123, 198, 236; 2013 a. 11.

3. Page 57, line 8: delete the material beginning with that line and ending with page 59, line 2.

Insert 2-5 B

4. Page 66, line 25: delete the material beginning with that line and ending with page ⁶⁷69, line 23.

5. Page 69, line 2: after "payee" insert "or payee's ^{authorized} agent".

Insert 2-9A

6. Page 120, line 14: delete the material beginning with ", 108.205 (1)" and ending with "(a)" on line 15 and substitute "and 108.205 (1)".

7. Page 120, line 16: delete "October 1," and substitute "September 29,".

Insert 2-9C

8. Page 121, line 3: delete "on January 5, 2014." and substitute "for the week beginning on December 22, 2013.".

Insert 2-12

9. Page 122, line 17: delete "The" and substitute "Subject to 2013 Wisconsin Act 11, section 12 (1), the".

9) # Page 122, line 17: ~~delete~~ after ^{(n) (intro.) and} ~~(a)~~ and substitute ^(dm) ~~(a)~~

9) # Page 122, line 18: delete ~~(a)~~ and substitute ^(dm) ~~(a)~~

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0525/2insMD
MED:.....

INSERT 2-5A

- 1 **1.** Page 62, line 10: delete “keep up-to-date” and substitute “periodically
- 2 update”.
- 3 **2.** Page 62, line 11: after “are” insert “or may be”.

INSERT 2-9B

- 4 **3.** Page 120, line 19: delete “January 1,” and substitute “January 5,”.
- 5 **4.** Page 120, line 21: delete “January 1,” and substitute “January 5,”.

INS X

75L

Section # 108.05 (3) (d) of the statutes is amended to read:

or hours worked

108.05 (3) (d) A claimant is ineligible to receive benefits for any week in which the claimant conceals wages as provided in s. 108.04 (11) (b).

History: 1971 c. 53; 1973 c. 247; 1975 c. 343; 1977 c. 29; 1979 c. 52; 1981 c. 28, 36; 1983 a. 8, 168, 384; 1985 a. 17, 40; 1987 a. 38 ss. 60 to 66, 136; 1987 a. 255; 1989 a. 77; 1991 a. 89; 1993 a. 373; 1995 a. 118; 1997 a. 39; 1999 a. 15, 56, 185, 186; 2001 a. 35, 43, 105; 2003 a. 197; 2005 a. 86, 142; 2007 a. 20, 59, 97; 2009 a. 287; 2011 a. 198; 2013 a. 11; s. 35.17 correction in (3) (c) 1.





← stays

ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 219



1 At the locations indicated, amend the bill as follows:

2 **1.** Page 37, line 20: after “request” insert “within the period specified in s.
3 108.09 (2) (c)”.

4 **2.** Page 40, line 20: after that line insert:

5 “SECTION 65m. 108.04 (11) (b) of the statutes is amended to read:

6 108.04 (11) (b) If a claimant, in filing a claim for any week, conceals any of his
7 or her wages earned ~~in~~ or paid or payable ~~for~~ or hours worked in that week, the
8 claimant is ineligible for benefits as provided in par. (be).

9 SECTION 65p. 108.04 (11) (bh) of the statutes is amended to read:

10 108.04 (11) (bh) In addition to the penalty ineligibility for benefits resulting
11 from concealment as provided in par. (be), the department shall assess a penalty
12 against the claimant in an amount equal to 15 percent of the benefit payments

1 erroneously paid to the claimant as a result of one or more acts of concealment
2 described in pars. (a) and (b)."

INS J

3 **3.** Page 57, line 8: delete the material beginning with that line and ending with
4 page 59, line 2.

5 **4.** Page 59, line 2: after that line insert:

6 "SECTION 75L. 108.05 (3) (d) of the statutes is amended to read:

7 108.05 (3) (d) A claimant is ineligible to receive benefits for any week in which
8 the claimant conceals wages or hours worked as provided in s. 108.04 (11) (b).

9 SECTION 75m. 108.05 (3) (dm) of the statutes, as affected by 2013 Wisconsin
10 Act 11, is repealed and recreated to read:

11 108.05 (3) (dm) Except when otherwise authorized in an approved work-share
12 program under s. 108.062, a claimant is ineligible to receive any benefits for a week
13 if the claimant receives or will receive from one or more employers wages earned for
14 work performed in that week, amounts treated as wages under s. 108.04 (1) (bm) for
15 that week, sick pay, holiday pay, vacation pay, termination pay, bonus pay, back pay,
16 or payments treated as wages under s. 108.04 (12) (e), or any combination thereof,
17 totalling more than \$500."

→ Ins Purple A

18 **5.** Page 62, line 10: delete "keep up-to-date" and substitute "periodically
19 update".

20 **6.** Page 62, line 11: after "are" insert "or may be".

21 **7.** Page 66, line 25: delete the material beginning with that line and ending
22 with page 67, line 23.

23 **8.** Page 69, line 2: after "payee" insert "or payee's authorized agent".

24 **9.** Page 118, line 2: after that line insert:

Ins Purple B

(4) #. Page 70, line 1: delete "may" and substitute "shall".

INS
PURPLE
B

1 "SECTION 236m. 2011 Wisconsin Act 198, section 47m (1) is amended to read:
2 [2011 Wisconsin Act 198] Section 47m (1) The repeal of sections 20.445 (1) (v),
3 25.17 (1) (xf), and 108.19 (1s) of the statutes takes effect on January 1, 2014 2034."

4 **10.** Page 120, line 14: delete the material beginning with ", 108.205 (1)" and
5 ending with "(a)" on line 15 and substitute "and 108.205 (1)".

6 **11.** Page 120, line 16: delete "October 1," and substitute "September 29,".

7 **12.** Page 120, line 19: delete "January 1," and substitute "January 5,".

8 **13.** Page 120, line 21: delete "January 1," and substitute "January 5,".

9 **14.** Page 121, line 3: delete "on January 5, 2014." and substitute "for the week
10 beginning on December 22, 2013."

11 **15.** Page 121, line 25: after that line insert:
12 "(11m) The treatment of section 108.05 (3) (dm) of the statutes first applies with
13 respect to weeks of unemployment beginning on January 5, 2014."

14 **16.** Page 122, line 17: delete "The" and substitute "Subject to 2013 Wisconsin
15 Act 11, section 12 (1), the".
16 **17.** Page 122, line 18: delete "(a)" and substitute "(dm)".

INS X

(END)

NONSTAT
W/IT
APP

17 **18.** Page ¹²¹~~122~~, line 24: before that line insert:

10m The treatment of sections 108.04
(11)(b) and 108.05(3)(d) of the
statutes first applies with respect
to weeks of unemployment beginning
on the effective date of this subsection.

Insert Purple A

④ # Page 62, line 5: delete "department" and substitute
"commission"

④ # Page 62, line 7: after "department" insert
"and the commission"

④ # Page 62, line 8: after "department" insert
"and the commission"

Insert Purple B

Page 118, line 4: delete "department of workforce
development" and substitute "labor and industry
review commission"



State of Wisconsin
2013 - 2014 LEGISLATURE

(d-note)



LRBa0525/2 3

JTK&MED:cjs:jm

stays

LPS: Please type + proof this but do NOT submit it until you hear from me. (The drafter might have more changes.)

AMENDMENT,
TO ASSEMBLY BILL 219

Wish

use this component → text! \$0 MED
D-note date - 0525/3 dn MED gjs

par 51-1 →

At the locations indicated, amend the bill as follows:

1
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12

1. Page 37, line 20: after "request" insert "within the period specified in s. 108.09 (2) (c)".

2. Page 40, line 20: after that line insert:

"SECTION 65m. 108.04 (11) (b) of the statutes is amended to read:

108.04 (11) (b) If a claimant, in filing a claim for any week, conceals any of his or her wages earned in or paid or payable for or hours worked in that week, the claimant is ineligible for benefits as provided in par. (be).

SECTION 65p. 108.04 (11) (bh) of the statutes is amended to read:

108.04 (11) (bh) In addition to the ~~penalty~~ ineligibility for benefits resulting from concealment as provided in par. (be), the department shall assess a penalty against the claimant in an amount equal to 15 percent of the benefit payments

1 erroneously paid to the claimant as a result of one or more acts of concealment
2 described in pars. (a) and (b).”.

3 **3.** Page 41, line 22: after “statutes” insert “, as affected by 2013 Wisconsin Act
4 11,”.

5 **4.** Page 41, line 23: delete “Each eligible” and substitute “Except as provided
6 in s. 108.062 (6) (a), each eligible”.

7 **5.** Page 42, line 12: delete the material beginning with that line and ending
8 with page 43, line 18.

9 **6.** Page 43, line 20: delete “Each eligible” and substitute “Except as provided
10 in s. 108.062 (6) (a), each eligible”.

11 **7.** Page 57, line 8: delete the material beginning with that line and ending with
12 page 59, line 2.

13 **8.** Page 59, line 2: after that line insert:

14 “**SECTION 75L.** 108.05 (3) (d) of the statutes is amended to read:

15 108.05 (3) (d) A claimant is ineligible to receive benefits for any week in which
16 the claimant conceals wages or hours worked as provided in s. 108.04 (1) (b).

17 **SECTION 75m.** 108.05 (3) (dm) of the statutes, as affected by 2013 Wisconsin
18 Act 11, is repealed and recreated to read:

19 108.05 (3) (dm) Except when otherwise authorized in an approved work–share
20 program under s. 108.062, a claimant is ineligible to receive any benefits for a week
21 if the claimant receives or will receive from one or more employers wages earned for
22 work performed in that week, amounts treated as wages under s. 108.04 (1) (bm) for
23 that week, sick pay, holiday pay, vacation pay, termination pay, bonus pay, back pay,

1 or payments treated as wages under s. 108.04 (12) (e), or any combination thereof,
2 totalling more than \$500.”.

3 **9.** Page 62, line 5: delete “department” and substitute “commission”.

4 **10.** Page 62, line 7: after “department” insert “and the commission”.

5 **11.** Page 62, line 8: after “department” insert “and the commission”.

6 **12.** Page 62, line 10: delete “keep up-to-date” and substitute “periodically
7 update”.

8 **13.** Page 62, line 11: after “are” insert “or may be”.

9 **14.** Page 66, line 25: delete the material beginning with that line and ending
10 with page 67, line 23.

11 **15.** Page 69, line 2: after “payee” insert “or payee’s authorized agent”.

12 **16.** Page 70, line 1: delete “may” and substitute “shall”.

13 **17.** Page 118, line 2: after that line insert:

14 **“SECTION 236m.** 2011 Wisconsin Act 198, section 47m (1) is amended to read:

15 [2011 Wisconsin Act 198] Section 47m (1) The repeal of sections 20.445 (1) (v),

16 25.17 (1) (xf), and 108.19 (1s) of the statutes takes effect on January 1, 2014 2034.”.

17 **18.** Page 118, line 4: delete “department of workforce development” and
18 substitute “labor and industry review commission”.

19 **19.** Page 120, line 14: delete the material beginning with “, 108.205 (1)” and
20 ending with “(a)” on line 15 and substitute “and 108.205 (1)”.

21 **20.** Page 120, line 16: delete “October 1,” and substitute “September 29,”.

22 **21.** Page 120, line 19: delete “January 1,” and substitute “January 5,”.

Handwritten notes: "JNS" and "3-2" with a large bracket spanning lines 1 through 10.

Handwritten notes: "JNS" and "3-1" with a bracket spanning lines 8 through 10.

Handwritten notes: "JNS" and "3-17" with a large bracket spanning lines 17 through 22.

LEGISLATIVE REFERENCE BUREAU

Page 3, line 14: delete Van, appropriation and substitute Appropriations

1. Page 15, line 24: after that line insert:

"SECTION 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2013-14 2014-15

20.445

Work force development department of

(1) WORKFORCE DEVELOPMENT DEPARTMENT OF

(am) Unemployment insurance admin-

istration; general purpose revenue

GPR A

-0- -0-

SECTION 20.445 (1) (am) of the statutes is created to read:

20.445 (1) (am) Unemployment insurance administration. The amounts in the schedule for the administration of the unemployment insurance program of the department and for the performance of the department's other functions under ch. 108."

2. Page 62, line 1: delete "The department" and substitute "(a) Subject to par. (b), the department".

3. Page 62, line 3: after that line insert:

"(b) The department is not required to maintain the portal under par. (a) if the department does not receive funding from the U.S. department of labor for that purpose."

4. Page 118, line 24: after that line insert:

"(6m) The department of workforce development shall request funding from the U.S. department of labor to maintain the portal under section 108.14 (21) of the

develop and

RWS 1-1

RWS 3-2

RWS 3-17

(B)

(no I)

(no I)

(I)

general purpose revenue

JNS
3-17
contd.

1

statutes, as created by this act, so as to have the portal operational on or after

2

January 5, 2014. *le*

contd on next page

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0525/3inJTK
JTK.....

→ INS 3-17, contd.

(7m) The authorized FTE positions for the department of workforce development are increased by 3.0 GPR positions to be funded from the appropriation under section 20.445 (1) (am) of the statutes, as created by this act, for the purpose of unemployment insurance administration. ✓/○

Duchek, Michael

From: Dernbach, BJ
Sent: Tuesday, June 04, 2013 12:12 PM
To: Kuesel, Jeffery; Duchek, Michael
Subject: Numbers

TOTAL ONE-TIME COST FISCAL YEAR 2014	TOTAL ONE-TIME COST FISCAL YEAR 2015
\$362,061	\$0

Can you get me the draft then today, and a companion for the Senate right away.

If you could, let me know when it's on the way.

Thanks.

BJ Dernbach
Office of Representative Dan Knodl
24th Assembly District
(608) 266-3796
<http://legis.wisconsin.gov/assembly/knodl/>

 /Rep. Knodl

Duchek, Michael

From: Dernbach, BJ
Sent: Monday, June 03, 2013 2:54 PM
To: Duchek, Michael
Subject: RE: UI Amendment

Correct

BJ Dernbach
Office of Representative Dan Knodl
24th Assembly District
(608) 266-3796
<http://legis.wisconsin.gov/assembly/knodl/>

 /Rep. Knodl

From: Duchek, Michael
Sent: Monday, June 03, 2013 2:52 PM
To: Dernbach, BJ
Subject: RE: UI Amendment

So if they don't get the funding, the provision should not go into effect at all?

From: Dernbach, BJ
Sent: Monday, June 03, 2013 2:52 PM
To: Duchek, Michael
Subject: RE: UI Amendment

They will not get GPR for that funding, so the provision should be contingent on that.

BJ Dernbach
Office of Representative Dan Knodl
24th Assembly District
(608) 266-3796
<http://legis.wisconsin.gov/assembly/knodl/>

 /Rep. Knodl

From: Duchek, Michael
Sent: Monday, June 03, 2013 2:51 PM
To: Dernbach, BJ
Subject: RE: UI Amendment

I can do that, but it sounded like they were already pretty sure they would not get that. So will the GPR funding you're getting numbers on cover that?

Also, in case you didn't know, I will need the funding sorted out by fiscal year.

From: Dernbach, BJ
Sent: Monday, June 03, 2013 2:42 PM
To: Duchek, Michael; Kuesel, Jeffery
Subject: UI Amendment

For the online complaint portal, lets change it to ask DWD to ask the fed for the employees to pay for it, so its FED not GPR. Same idea as the fraud workers.

BJ Dernbach
Office of Representative Dan Knodl
24th Assembly District
(608) 266-3796
<http://legis.wisconsin.gov/assembly/knodl/>

 /Rep. Knodl



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0525/8

JTK&MED:cjs:rs

Now

stays

ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 219

keep @ 13

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 14: delete "an appropriation" and substitute "appropriations".

3 2. Page 15, line 24: after that line insert:

4 "SECTION 6m. 20.005 (3) (schedule) of the statutes: at the appropriate place,
5 insert the following amounts for the purposes indicated:

6 2013-14 2014-15

7 20.445 Workforce development, department of

8 (1) WORKFORCE DEVELOPMENT

9 (am) Unemployment insurance

10 administration; general purpose

11 revenue

GPR

A B

362,100

-0-

-0-

12 SECTION 6p. 20.445 (1) (am) of the statutes is created to read:

Biennially

1 20.445 (1) (am) *Unemployment insurance administration; general purpose*
2 *revenue.* The amounts in the schedule for the administration of the unemployment
3 insurance program of the department and for the performance of the department's
4 other functions under ch. 108. *je*

5 **3.** Page 37, line 20: after "request" insert "within the period specified in s.
6 108.09 (2) (c)".

7 **4.** Page 40, line 20: after that line insert:

8 **"SECTION 65m.** 108.04 (11) (b) of the statutes is amended to read:

9 108.04 (11) (b) If a claimant, in filing a claim for any week, conceals any of his
10 or her wages earned ~~in~~ or paid or payable ~~for~~ or hours worked in that week, the
11 claimant is ineligible for benefits as provided in par. (be).

12 **SECTION 65p.** 108.04 (11) (bh) of the statutes is amended to read:

13 108.04 (11) (bh) In addition to ~~the penalty~~ ineligibility for benefits resulting
14 from concealment as provided in par. (be), the department shall assess a penalty
15 against the claimant in an amount equal to 15 percent of the benefit payments
16 erroneously paid to the claimant as a result of one or more acts of concealment
17 described in pars. (a) and (b).".

18 **5.** Page 41, line 22: after "statutes" insert ", as affected by 2013 Wisconsin Act
19 11,".

20 **6.** Page 41, line 23: delete "Each eligible" and substitute "Except as provided
21 in s. 108.062 (6) (a), each eligible".

22 **7.** Page 42, line 12: delete the material beginning with that line and ending
23 with page 43, line 18.

nsA

1 **8.** Page 43, line 20: delete “Each eligible” and substitute “Except as provided
2 in s. 108.062 (6) (a), each eligible”.

3 **9.** Page 57, line 8: delete the material beginning with that line and ending with
4 page 59, line 2.

5 **10.** Page 59, line 2: after that line insert:

6 “**SECTION 75L.** 108.05 (3) (d) of the statutes is amended to read:

7 108.05 (3) (d) A claimant is ineligible to receive benefits for any week in which
8 the claimant conceals wages or hours worked as provided in s. 108.04 (11) (b).

9 **SECTION 75m.** 108.05 (3) (dm) of the statutes, as affected by 2013 Wisconsin
10 Act 11, is repealed and recreated to read:

11 108.05 (3) (dm) Except when otherwise authorized in an approved work–share
12 program under s. 108.062, a claimant is ineligible to receive any benefits for a week
13 if the claimant receives or will receive from one or more employers wages earned for
14 work performed in that week, amounts treated as wages under s. 108.04 (1) (bm) for
15 that week, sick pay, holiday pay, vacation pay, termination pay, bonus pay, back pay,
16 or payments treated as wages under s. 108.04 (12) (e), or any combination thereof,
17 totalling more than \$500.”.

18 **11.** Page 62, line 1: delete “The department” and substitute “(a) Subject to par.
19 (b), the department”.

20 **12.** Page 62, line 3: after that line insert:

21 “(b) The department is not required to maintain the portal under par. (a) if the
22 department does not receive funding from the U.S. department of labor for that
23 purpose.”.

24 **13.** Page 62, line 5: delete “department” and substitute “commission”.

1 **14.** Page 62, line 7: after “department” insert “and the commission”.

2 **15.** Page 62, line 8: after “department” insert “and the commission”.

3 **16.** Page 62, line 10: delete “keep up-to-date” and substitute “periodically
4 update”.

5 **17.** Page 62, line 11: after “are” insert “or may be”.

6 **18.** Page 66, line 25: delete the material beginning with that line and ending
7 with page 67, line 23.

→ **19.** Page 68, line 21: after ~~“(a)”~~ insert ~~“or s. 108.17 (2c) (e)”~~

8 **19.** Page 69, line 2: after “payee” insert “or payee’s authorized agent”.

9 **20.** Page 70, line 1: delete “may” and substitute “shall”.

10 **21.** Page 118, line 2: after that line insert:

11 “**SECTION 236m.** 2011 Wisconsin Act 198, section 47m (1) is amended to read:
12 [2011 Wisconsin Act 198] Section 47m (1) The repeal of sections 20.445 (1) (v),
13 25.17 (1) (xf), and 108.19 (1s) of the statutes takes effect on January 1, 2014 2034.”.

14 **22.** Page 118, line 4: delete “department of workforce development” and
15 substitute “labor and industry review commission”.

16 **23.** Page 118, line 24: after that line insert:

17 “(6m) The department of workforce development shall request funding from
18 the U.S. department of labor to develop and maintain the portal under section 108.14
19 (21) of the statutes, as created by this act, so as to have the portal operational on or
20 after January 5, 2014.”

21 (7m) The authorized FTE positions for the department of workforce
22 development are increased by 3.0 GPR positions to be funded from the appropriation

1 under section 20.445 (1) (am) of the statutes, as created by this act, for the purpose
2 of unemployment insurance administration.”

3 **24.** Page 120, line 14: delete the material beginning with “, 108.205 (1)” and
4 ending with “(a)” on line 15 and substitute “and 108.205 (1)”.

5 **25.** Page 120, line 16: delete “October 1,” and substitute “September 29,”.

6 **26.** Page 120, line 19: delete “January 1,” and substitute “January 5,”.

7 **27.** Page 120, line 21: delete “January 1,” and substitute “January 5,”.

8 **28.** Page 121, line 3: delete “on January 5, 2014.” and substitute “for the week
9 beginning on December 22, 2013.”.

10 **29.** Page 121, line 24: before that line insert:

11 “(10m) The treatment of sections 108.04 (11) (b) and 108.05 (3) (d) of the
12 statutes first applies with respect to weeks of unemployment beginning on the
13 effective date of this subsection.”.

14 **30.** Page 121, line 25: after that line insert:

15 “(11m) The treatment of section 108.05 (3) (dm) of the statutes first applies with
16 respect to weeks of unemployment beginning on January 5, 2014.”.

17 **31.** Page 122, line 16: delete that line and substitute “the general effective
18 date of the 2013–15 biennial budget act or the first Sunday after publication of this
19 act, whichever is later, except as follows:”.

20 **32.** Page 122, line 17: delete lines 17 to 19.

21 **33.** Page 122, line 22: delete lines 22 to 23.

22 (END)

INS
B

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0525/3insB
MED:.....

INSERT A

1 ^{ea} SECTION 60. 20.445 (1) (am) of the statutes, as created by 2013 Wisconsin Act
2 (this act), is repealed.”.

INSERT B

3 1. Page 122, line 16: after that line insert:
4 “(1m) The repeal of section 20.445 (1) (am) of the statutes takes effect July 1,
5 2015.”.

Barman, Mike

From: Dernbach, BJ
Sent: Tuesday, June 04, 2013 2:03 PM
To: LRB.Legal
Subject: RE: Draft review: LRB a0525/3 Topic: Trailer items from 2011 session.

Are the stripes on the way out?

BJ Dernbach
Office of Representative Dan Knodl
24th Assembly District
(608) 266-3796
<http://legis.wisconsin.gov/assembly/knodl/>
 /Rep. Knodl

From: LRB.Legal
Sent: Tuesday, June 04, 2013 2:00 PM
To: Dernbach, BJ
Subject: Draft review: LRB a0525/3 Topic: Trailer items from 2011 session.

Draft Requester: Legislative Reference Bureau

Following is the PDF version of draft LRB a0525/3.