



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1962/1  
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## 2011 SENATE BILL 143

July 5, 2011 – Introduced by Senators HANSEN, T. CULLEN, CARPENTER, S. COGGS, ERPENBACH, HOLPERIN, JAUCH, C. LARSON, LASSA, MILLER, RISSER, TAYLOR, VINEHOUT and WIRCH. Referred to Committee on Labor, Public Safety, and Urban Affairs.

1     **AN ACT to amend** 108.141 (1) (f) 3. b.; and **to create** 108.141 (1) (f) 4. of the  
2             statutes; **relating to:** the Wisconsin on indicator for unemployment insurance  
3             extended benefit purposes.

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### *Analysis by the Legislative Reference Bureau*

Currently, the maximum number of weeks of unemployment insurance benefits that an eligible claimant may qualify to receive is normally 26 weeks. However, during certain periods of high unemployment in this state, as defined by law, a claimant who has exhausted all of his or her rights to receive benefits in a given benefit year (period during which benefits are payable to a claimant) may potentially qualify to receive up to 13 weeks of “extended benefits,” the cost of which, with certain exceptions, are normally shared between the federal government and employers in this state. Under recent federal legislation, the employer share is also paid by the federal government for private employers, including nonprofit organization employers but not including Indian tribal employers, during certain periods. For extended benefits to be paid in this state, there must be a Wisconsin “on” indicator, which is currently determined by calculating the rates of total or insured unemployment for various periods under one of three methods.

This bill adds a fourth method of determining a Wisconsin “on” indicator, which applies only for so long as full federal funding is provided (currently, for claims filed before January 4, 2012). Under this method, 1) the rate of insured unemployment for the period consisting of the week in which the determination is made and the 12 preceding weeks must equal or exceed 120 percent of the average of such rates for

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the corresponding 13-week periods ending in each of the preceding 3 calendar years and must equal or exceed 5 percent; or 2) the average rate of seasonally adjusted total unemployment for the period consisting of the most recent 3 months for which national data is available must equal or exceed 6.5 percent and must equal or exceed 110 percent of the average for any of the corresponding 3-month periods ending in the 3 preceding calendar years. Under federal and state law, however, once an extended benefit period ends because in a given week there is no Wisconsin "on" indicator, no new extended benefit period may begin in this state for at least another 13 weeks thereafter.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 108.141 (1) (f) 3. b. of the statutes is amended to read:

2           108.141 (1) (f) 3. b. The average rate of total unemployment in this state,  
3           seasonally adjusted, as determined by the U.S. secretary of labor for the period  
4           consisting of the most recent 3 months for which data for all states are published  
5           before the close of that week equals or exceeds 110 percent of the average for either  
6           or both of the corresponding 3-month periods ending in the 2 preceding calendar  
7           year; or

8           **SECTION 2.** 108.141 (1) (f) 4. of the statutes is created to read:

9           108.141 (1) (f) 4. With respect to weeks of unemployment beginning on or after  
10          the date of enactment of P.L. 111-312, and ending with the week ending 4 weeks prior  
11          to the last week in which federal sharing is authorized by section 2005 (a) of P.L.  
12          111-5 and any amendments thereto:

13          a. The rate of insured unemployment for the period consisting of that week and  
14          the immediately preceding 12 weeks equaled or exceeded 120 percent of the average  
15          of such rates for the corresponding 13-week periods ending in each of the preceding  
16          3 calendar years, and equaled or exceeded 5 percent; or

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1           b. The average rate of total unemployment, seasonally adjusted, as determined  
2           by the U.S. secretary of labor, for the period consisting of the most recent 3 months  
3           for which data for all states are published before the close of that week equals or  
4           exceeds 6.5 percent and equals or exceeds 110 percent of the average for any of the  
5           corresponding 3-month periods ending in the preceding 3 calendar years.

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**(END)**