

2001 ASSEMBLY BILL 553

1 **AN ACT** *to renumber* 108.02 (12m) (c) and (d); *to renumber and amend* 108.02
2 (12m) (intro.), 108.02 (12m) (a) and (b), 108.02 (12m) (e) and 108.09 (3) (a); *to*
3 **amend** 20.445 (1) (gh) (title), 20.445 (1) (nb) (title), 49.45 (10), 108.02 (10m),
4 108.02 (13) (a), 108.02 (15) (f) (intro.), 108.02 (15) (g) (intro.), 108.02 (15) (j) 4.
5 and 5., 108.02 (15) (k) 18. c., 108.02 (15) (k) 19. b., 108.02 (15) (n), 108.02 (22m),
6 108.04 (2) (a) 3., 108.04 (7) (h), 108.04 (8) (c), 108.04 (13) (d) 4. (intro.), 108.04
7 (16) (b), 108.04 (17) (b), 108.04 (17) (e), 108.04 (17) (h), 108.05 (1) (L) (intro.),
8 108.05 (7) (a) 1., 108.05 (7) (f) 1., 108.065 (1), 108.16 (6) (g), 108.16 (6m) (a),
9 108.16 (8) (b) (intro.), 108.16 (8) (b) 2., 108.16 (8) (b) 3., 108.16 (8) (c) 3., 108.16
10 (8) (e) 3., 108.16 (8) (f), 108.17 (2), 108.19 (1e) (a) and (d), 108.19 (1m), 108.20
11 (3), 108.22 (1) (am), 108.22 (1) (b), 108.22 (1) (e), 108.22 (1m), 108.225 (1) (a) to
12 (c) and 108.225 (16) (intro.); and *to create* 108.02 (15) (gm), 108.02 (15) (j) 6.,
13 108.02 (15) (k) 20., 108.02 (17m), 108.02 (20g), 108.02 (21c), 108.02 (21e), 108.02
14 (23g), 108.02 (29), 108.05 (1) (m) and (n), 108.065 (1m), 108.067, 108.09 (3) (a)

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1 2., 108.14 (2e), 108.14 (19), 108.141 (7) (c), 108.152, 108.16 (8) (c) 4., 108.16 (8)
2 (e) 4., 108.16 (8) (L), 108.17 (2c), 108.17 (2g), 108.22 (1) (ad) and 230.12 (1) (g)
3 of the statutes; **relating to:** various changes in the unemployment insurance
4 law, appointment of temporary reserve appeal tribunals, requiring the exercise
5 of rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

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

6 **SECTION 1.** 20.445 (1) (gh) (title) of the statutes is amended to read:

7 20.445 (1) (gh) (title) *Unemployment tax and accounting system information*
8 *technology systems; assessments.*

9 **SECTION 2.** 20.445 (1) (nb) (title) of the statutes is amended to read:

10 20.445 (1) (nb) (title) *Unemployment tax and accounting system information*
11 *technology systems; federal moneys.*

12 **SECTION 3.** 49.45 (10) of the statutes is amended to read:

13 49.45 (10) **RULE-MAKING POWERS AND DUTIES.** The department is authorized to
14 promulgate such rules as are consistent with its duties in administering medical
15 assistance. The department shall promulgate a rule defining the term “part-time
16 intermittent care” for the purpose of s. 49.46.

17 **SECTION 4.** 108.02 (10m) of the statutes is amended to read:

18 108.02 (10m) **EDUCATIONAL SERVICE AGENCY.** “Educational service agency”
19 means a governmental entity or Indian tribal unit which is established and operated
20 exclusively for the purpose of providing services to one or more educational
21 institutions.

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1 **SECTION 5.** 108.02 (12m) (intro.) of the statutes is renumbered 108.02 (24m)
2 (intro.) and amended to read:

3 108.02 **(24m)** ~~EMPLOYEE SERVICE~~ TEMPORARY HELP COMPANY. (intro.) “Employee
4 service “Temporary help company” means ~~a leasing company or temporary help~~
5 service an entity which contracts with ~~clients or customers~~ a client to supply
6 individuals to perform services for the client ~~or customer~~ on a temporary basis to
7 support or supplement the workforce of the client in situations such as personnel
8 absences, temporary personnel shortages, and workload changes resulting from
9 seasonal demands or special assignments or projects, and which, both under
10 contract and in fact:

11 **SECTION 6.** 108.02 (12m) (a) and (b) of the statutes are renumbered 108.02
12 (24m) (a) and (b) and amended to read:

13 108.02 **(24m)** (a) Negotiates with clients ~~or customers~~ for such matters as time,
14 place, type of work, working conditions, quality, and price of the services;

15 (b) Determines assignments or reassignments of individuals to its clients ~~or~~
16 ~~customers~~, even if the individuals retain the right to refuse specific assignments;

17 **SECTION 7.** 108.02 (12m) (c) and (d) of the statutes are renumbered 108.02
18 (24m) (c) and (d).

19 **SECTION 8.** 108.02 (12m) (e) of the statutes is renumbered 108.02 (24m) (e) and
20 amended to read:

21 108.02 **(24m)** (e) Hires and terminates individuals who perform services for the
22 clients ~~or customers~~.

23 **SECTION 9.** 108.02 (13) (a) of the statutes is amended to read:

24 108.02 **(13)** (a) “Employer” means every government unit and Indian tribe, and
25 any person, association, corporation, whether domestic or foreign, or legal

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1 representative, debtor in possession or trustee in bankruptcy or receiver or trustee
2 of a person, partnership, association, or corporation, or guardian of the estate of a
3 person, or legal representative of a deceased person, any partnership or partnerships
4 consisting of the same partners, except as provided in par. (L), any limited liability
5 company or limited liability companies consisting of the same members, except as
6 provided in par. (kL), and any fraternal benefit society as defined in s. 614.01 (1) (a),
7 which is subject to this chapter under the statutes of 1975, or which has had
8 employment in this state and becomes subject to this chapter under this subsection
9 and, notwithstanding any other provisions of this section, any service insurance
10 corporation organized or operating under ch. 613, except as provided in s. 108.152
11 (6) (a) 3.

12 **SECTION 10.** 108.02 (15) (f) (intro.) of the statutes is amended to read:

13 108.02 (15) (f) (intro.) “Employment” as applied to work for a government unit
14 or Indian tribe, except as such unit or tribe duly elects otherwise with the
15 department’s approval, does not include service:

16 **SECTION 11.** 108.02 (15) (g) (intro.) of the statutes is amended to read:

17 108.02 (15) (g) (intro.) “Employment” as applied to work for a government unit,
18 an Indian tribe, or a nonprofit organization, except as such unit, tribe, or
19 organization duly elects otherwise with the department’s approval, does not include
20 service:

21 **SECTION 12.** 108.02 (15) (gm) of the statutes is created to read:

22 108.02 (15) (gm) “Employment,” as applied to work for an Indian tribe, does not
23 include service performed after the department terminates application of this
24 chapter to the tribe under s. 108.152 (6) (a) 3.

25 **SECTION 13.** 108.02 (15) (j) 4. and 5. of the statutes are amended to read:

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1 108.02 (15) (j) 4. In the employ of a hospital by a patient of such hospital; ~~or~~
2 5. In any quarter in the employ of any organization exempt from federal income
3 tax under section 501 (a) of the internal revenue code, other than an organization
4 described in section 401 (a) or 501 (c) (3) of such code, or under section 521 of the
5 internal revenue code, if the remuneration for such service is less than \$50.; or

6 **SECTION 14.** 108.02 (15) (j) 6. of the statutes is created to read:

7 108.02 (15) (j) 6. By a nonresident alien for the period that he or she is
8 temporarily present in the United States as a nonimmigrant under 8 USC 1101 (a)
9 (15) (F), (J), (M), or (Q), if the service is performed to carry out the purpose for which
10 the alien is admitted to the United States, as provided in 8 USC 1101 (a) (15) (F), (J),
11 (M), or (Q), or by the spouse or minor child of such an alien if the spouse or child was
12 also admitted to the United States under 8 USC 1101 (a) (15) (F), (J), (M), or (Q) for
13 the same purpose.

14 **SECTION 15.** 108.02 (15) (k) 18. c. of the statutes is amended to read:

15 108.02 (15) (k) 18. c. The amount of the lease payment is not contingent upon
16 the income generated through the use of the motor vehicle or equipment during the
17 lease term; ~~or~~

18 **SECTION 16.** 108.02 (15) (k) 19. b. of the statutes is amended to read:

19 108.02 (15) (k) 19. b. The individual has been paid or is treated as having been
20 paid wages or other remuneration of \$500 or more during his or her base period for
21 services performed for at least one employer other than the seasonal employer which
22 is subject to the unemployment insurance law of any state or the federal
23 government.; or

24 **SECTION 17.** 108.02 (15) (k) 20. of the statutes is created to read:

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1 108.02 (15) (k) 20. Provided to a recipient of medical assistance under ch. 49
2 by an individual who is not an employee of a home health agency, if the service is:

3 a. Private duty nursing service or part-time intermittent care authorized
4 under s. 49.46 (2) (b) 6. g., for which medical assistance reimbursement is available
5 as a covered service, provided by an individual who is certified by the department of
6 health and family services under s. 49.45 (2) (a) 11. as a nurse in independent
7 practice or as an independent nurse practitioner; or

8 b. Respiratory care service for ventilator-dependent individuals authorized
9 under s. 49.46 (2) (b) 6m., for which medical assistance reimbursement is available
10 as a covered service, provided by an individual who is certified by the department of
11 health and family services under s. 49.45 (2) (a) 11. as a provider of respiratory care
12 services in independent practice.

13 **SECTION 18.** 108.02 (15) (n) of the statutes is amended to read:

14 108.02 (15) (n) If any employment for a government unit, Indian tribe, or
15 nonprofit organization excluded under other paragraphs of this subsection is
16 required by the federal unemployment tax act, the social security act, or any other
17 federal law, to be employment covered by this chapter as a condition for approval of
18 this chapter for full tax credit against the tax imposed by the federal unemployment
19 tax act, such exclusion shall not apply under this chapter.

20 **SECTION 19.** 108.02 (17m) of the statutes is created to read:

21 108.02 (17m) “Indian tribe” has the meaning given in 25 USC 450b (e), and
22 includes any subdivision, subsidiary, or business enterprise that is wholly owned by
23 such an entity.

24 **SECTION 20.** 108.02 (20g) of the statutes is created to read:

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1 **108.02 (20g) PART-TIME INTERMITTENT CARE.** “Part-time intermittent care”, as
2 defined by the department of health and family services under s. 49.45 (10), means
3 skilled nursing service that is provided in the home of a recipient of medical
4 assistance under ch. 49 under a written plan of care that specifies the medical
5 necessity of the care.

6 **SECTION 21.** 108.02 (21c) of the statutes is created to read:

7 **108.02 (21c) PRIVATE-DUTY NURSING SERVICE.** “Private-duty nursing service”
8 means skilled nursing service under a written plan of care that specifies the medical
9 necessity of the care, which is provided to a recipient of medical assistance under ch.
10 49 whose medical condition requires more continuous skilled nursing service than
11 may be provided as part-time intermittent care.

12 **SECTION 22.** 108.02 (21e) of the statutes is created to read:

13 **108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION.** “Professional employer
14 organization” means any person who contracts to provide the nontemporary, ongoing
15 employee workforce of a client under a written leasing contract and who under
16 contract and in fact:

17 (a) Has the right to hire and terminate the employees who perform services for
18 the client and to reassign the employees to other clients;

19 (b) Sets the rate of pay of the employees, whether or not through negotiations;

20 (c) Has the obligation to and pays the employees from its own accounts;

21 (d) Has a general right of direction and control over the employees, including
22 corporate officers, which right may be shared with the client to the degree necessary
23 to allow the client to conduct its business, meet any fiduciary responsibility, or
24 comply with any applicable regulatory or statutory requirements;

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1 (e) Assumes responsibility for the unemployment insurance coverage of the
2 employees, files all required reports, pays all required contributions or
3 reimbursements due on the wages of the employees, and otherwise complies with all
4 of the provisions of this chapter that are applicable to employers on behalf of the
5 client;

6 (f) Has the obligation to establish, fund, and administer employee benefit plans
7 for the employees; and

8 (g) Provides notice of the employee leasing arrangement to the employees.

9 **SECTION 23.** 108.02 (22m) of the statutes is amended to read:

10 108.02 **(22m)** SCHOOL YEAR EMPLOYEE. “School year employee” means an
11 employee of an educational institution or an educational service agency, or an
12 employee of a government unit, Indian tribe, or nonprofit organization which
13 provides services to or on behalf of an educational institution, who performs services
14 under an employment contract which does not require the performance of services
15 on a year-round basis.

16 **SECTION 24.** 108.02 (23g) of the statutes is created to read:

17 108.02 **(23g)** SKILLED NURSING SERVICE. “Skilled nursing service” means
18 professional nursing service that is provided under a physician’s order, that requires
19 the skills of a licensed registered nurse or licensed practical nurse, and that is
20 provided directly by the licensed registered nurse or licensed practical nurse or
21 directly by the licensed practical nurse under the supervision of the licensed
22 registered nurse.

23 **SECTION 25.** 108.02 (29) of the statutes is created to read:

24 108.02 **(29)** WORKING DAY. “Working day” has the meaning given in s. 227.01
25 (14).

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1 **SECTION 26.** 108.04 (2) (a) 3. of the statutes is amended to read:

2 108.04 **(2)** (a) 3. The individual is seeking suitable work during that week or,
3 during the ~~104-week~~ 156-week period beginning on January 2, 2000, the individual
4 conducts a reasonable search for suitable work during that week. The ~~work~~
5 reasonable search required ~~under~~ during the period specified in this subdivision
6 must include 2 actions that constitute a reasonable search as prescribed by rule of
7 the department. The department shall, by rule, require claimants to conduct a
8 reasonable search for suitable work during the period beginning after the 156-week
9 period specified in this subdivision and shall, by rule, prescribe standards for the
10 search to be considered reasonable.

11 **SECTION 27.** 108.04 (7) (h) of the statutes is amended to read:

12 108.04 **(7)** (h) The department shall charge to the fund's balancing account
13 benefits paid to an employee that are otherwise chargeable to the account of an
14 employer that is subject to the contribution requirements of ss. 108.17 and 108.18
15 if the employee voluntarily terminates employment with that employer and par. (a),
16 (c), (d), (e), (k), (L), (o), (p), (q), or (s) or sub. (16) (b) applies.

17 **SECTION 28.** 108.04 (8) (c) of the statutes is amended to read:

18 108.04 **(8)** (c) If an employee fails, without good cause, to return to work with
19 a former employer that recalls the employee within 52 weeks after the employee last
20 worked for that employer, the employee is ineligible to receive benefits until 4 weeks
21 have elapsed since the end of the week in which the failure occurs and the employee
22 earns wages after the week in which the failure occurs equal to at least 4 times the
23 employee's weekly benefit rate under s. 108.05 (1) in employment or other work
24 covered by the unemployment insurance law of any state or the federal government.
25 For purposes of requalification, the employee's weekly benefit rate shall be that rate

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1 which would have been paid had the failure not occurred. This paragraph does not
2 preclude an employee from establishing a benefit year during a period in which the
3 employee is ineligible to receive benefits under this paragraph if the employee
4 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall
5 charge to the fund's balancing account any benefits otherwise chargeable to the
6 account of any employer that is subject to the contribution requirements under ss.
7 108.17 and 108.18 whenever an employee of that employer fails, without good cause,
8 to return to work with that employer. If an employee receives actual notice of a recall
9 to work, par. (a) applies in lieu of this paragraph.

10 **SECTION 29.** 108.04 (13) (d) 4. (intro.) of the statutes is amended to read:

11 108.04 (13) (d) 4. (intro.) To correct any erroneous payment not so adjusted from
12 the account of an employer which is a government unit, an Indian tribe, or a nonprofit
13 organization and which has elected reimbursement financing, the department shall:

14 **SECTION 30.** 108.04 (16) (b) of the statutes is amended to read:

15 108.04 (16) (b) The requalifying employment requirement under subs. (7) and
16 (8) and the general qualifying requirements under sub. (2) do not apply to an
17 individual as a result of the individual's enrollment in training or leaving unsuitable
18 work to enter or continue training under 19 USC 2296 or a plan approved under 29
19 USC 2822.

20 **SECTION 31.** 108.04 (17) (b) of the statutes is amended to read:

21 108.04 (17) (b) A school year employee of a government unit, Indian tribe, or
22 nonprofit organization which provides services to or on behalf of an educational
23 institution who performs services in an instructional, research, or principal
24 administrative capacity is ineligible for benefits based on such services for any week
25 of unemployment which occurs:

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1 1. During the period between 2 successive academic years or terms, if the school
2 year employee performed such services for such a government unit, Indian tribe, or
3 nonprofit organization in the first such year or term and if there is reasonable
4 assurance that he or she will perform such services for such a government unit,
5 Indian tribe, or nonprofit organization in the 2nd such year or term; or

6 2. During the period between 2 regular but not successive academic terms,
7 when an agreement between an employer and a school year employee provides for
8 such a period, if the school year employee performed such services for such a
9 government unit, Indian tribe, or nonprofit organization in the first such term and
10 if there is reasonable assurance that he or she will perform such services for such a
11 government unit, Indian tribe, or nonprofit organization in the 2nd such term.

12 **SECTION 32.** 108.04 (17) (e) of the statutes is amended to read:

13 108.04 (17) (e) A school year employee of a government unit, Indian tribe, or
14 nonprofit organization which provides services to or on behalf of an educational
15 institution who performs services other than in an instructional, research or
16 principal administrative capacity is ineligible for benefits based on such services for
17 any week of unemployment which occurs during a period between 2 successive
18 academic years or terms if the school year employee performed such services for such
19 a government unit or nonprofit organization in the first such year or term and there
20 is reasonable assurance that he or she will perform such services for such a
21 government unit, Indian tribe, or nonprofit organization in the 2nd such year or
22 term.

23 **SECTION 33.** 108.04 (17) (h) of the statutes is amended to read:

24 108.04 (17) (h) A school year employee of a government unit, Indian tribe, or
25 nonprofit organization which provides services to or on behalf of an educational

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1 institution who performs the services described in par. (b) or (e) is ineligible for
2 benefits based on such services for any week of unemployment which occurs during
3 an established and customary vacation period or holiday recess if the school year
4 employee performed such services for such a government unit, Indian tribe, or
5 nonprofit organization in the period immediately before the vacation period or
6 holiday recess, and there is reasonable assurance that the school year employee will
7 perform the services described in par. (b) or (e) for such a government unit, Indian
8 tribe, or nonprofit organization in the period immediately following the vacation
9 period or holiday recess.

10 **SECTION 34.** 108.05 (1) (L) (intro.) of the statutes is amended to read:

11 108.05 (1) (L) (intro.) Each eligible employee shall be paid benefits for each
12 week of total unemployment that commences on or after October 1, 2000, and before
13 December 30, 2001, at the weekly benefit rate specified in this paragraph. Unless
14 sub. (1m) applies, the weekly benefit rate shall equal 4% of the employee's base
15 period wages that were paid during that quarter of the employee's base period in
16 which the employee was paid the highest total wages, rounded down to the nearest
17 whole dollar, except that, if that amount is less than the minimum amount shown
18 in the following schedule, no benefits are payable to the employee and, if that amount
19 is more than the maximum amount shown in the following schedule, the employee's
20 weekly benefit rate shall be the maximum amount shown in the following schedule
21 and except that, if the employee's benefits are exhausted during any week under s.
22 108.06 (1), the employee shall be paid the remaining amount of benefits payable to
23 the employee in lieu of the amount shown in the following schedule: [See Figure
24 108.05 (1) (L) following]

25 **SECTION 35.** 108.05 (1) (m) and (n) of the statutes are created to read:

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1 108.05 (1) (m) Each eligible employee shall be paid benefits for each week of
2 total unemployment which commences on or after December 30, 2001, and before
3 December 29, 2002, at the weekly benefit rate specified in this paragraph. Unless
4 sub. (1m) applies, the weekly benefit rate shall equal 4% of the employee’s base
5 period wages which were paid during that quarter of the employee’s base period in
6 which the employee was paid the highest total wages, rounded down to the nearest
7 whole dollar, except that, if that amount is less than the minimum amount shown
8 in the following schedule, no benefits are payable to the employee and, if that amount
9 is more than the maximum amount shown in the following schedule, the employee’s
10 weekly benefit rate shall be the maximum amount shown in the following schedule
11 and except that, if the employee’s benefits are exhausted during any week under s.
12 108.06 (1), the employee shall be paid the remaining amount of benefits payable to
13 the employee in lieu of the amount shown in the following schedule: [See Figure
14 108.05 (1) (m) following]

15
16 **Figure 108.05 (1) (m):**

17					
18		Highest			Weekly
19		Quarterly			Benefit
20	Line	Wages Paid			Rate
21		<hr/>			
22	1.	Under	\$1,200.00	.....	\$ 0
23	2.	1,200.00	to 1,224.99	48
24	3.	1,225.00	to 1,249.99	49
25	4.	1,250.00	to 1,274.99	50
26	5.	1,275.00	to 1,299.99	51

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1	6.	1,300.00	to	1,324.99	52
2	7.	1,325.00	to	1,349.99	53
3	8.	1,350.00	to	1,374.99	54
4	9.	1,375.00	to	1,399.99	55
5	10.	.....	1,400.00	to	1,424.99	.....	56
6	11.	.....	1,425.00	to	1,449.99	.....	57
7	12.	.....	1,450.00	to	1,474.99	.....	58
8	13.	.....	1,475.00	to	1,499.99	.....	59
9	14.	.....	1,500.00	to	1,524.99	.....	60
10	15.	.....	1,525.00	to	1,549.99	.....	61
11	16.	.....	1,550.00	to	1,574.99	.....	62
12	17.	.....	1,575.00	to	1,599.99	.....	63
13	18.	.....	1,600.00	to	1,624.99	.....	64
14	19.	.....	1,625.00	to	1,649.99	.....	65
15	20.	.....	1,650.00	to	1,674.99	.....	66
16	21.	.....	1,675.00	to	1,699.99	.....	67
17	22.	.....	1,700.00	to	1,724.99	.....	68
18	23.	.....	1,725.00	to	1,749.99	.....	69
19	24.	.....	1,750.00	to	1,774.99	.....	70
20	25.	.....	1,775.00	to	1,799.99	.....	71
21	26.	.....	1,800.00	to	1,824.99	.....	72
22	27.	1,825.00	to	1,849.99	73
23	28.	1,850.00	to	1,874.99	74
24	29.	1,875.00	to	1,899.99	75

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1	30.	1,900.00	to	1,924.99	76
2	31.	1,925.00	to	1,949.99	77
3	32.	1,950.00	to	1,974.99	78
4	33.	1,975.00	to	1,999.99	79
5	34.	.....	2,000.00	to	2,024.99	.....	80
6	35.	.....	2,025.00	to	2,049.99	.....	81
7	36.	.....	2,050.00	to	2,074.99	.....	82
8	37.	.....	2,075.00	to	2,099.99	.....	83
9	38.	.....	2,100.00	to	2,124.99	.....	84
10	39.	.....	2,125.00	to	2,149.99	.....	85
11	40.	.....	2,150.00	to	2,174.99	.....	86
12	41.	.....	2,175.00	to	2,199.99	.....	87
13	42.	.....	2,200.00	to	2,224.99	.....	88
14	43.	.....	2,225.00	to	2,249.99	.....	89
15	44.	.....	2,250.00	to	2,274.99	.....	90
16	45.	.....	2,275.00	to	2,299.99	.....	91
17	46.	.....	2,300.00	to	2,324.99	.....	92
18	47.	.....	2,325.00	to	2,349.99	.....	93
19	48.	.....	2,350.00	to	2,374.99	.....	94
20	49.	.....	2,375.00	to	2,399.99	.....	95
21	50.	.....	2,400.00	to	2,424.99	.....	96
22	51.	2,425.00	to	2,449.99	97
23	52.	2,450.00	to	2,474.99	98
24	53.	2,475.00	to	2,499.99	99

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1	54.	2,500.00	to	2,524.99	100
2	55.	2,525.00	to	2,549.99	101
3	56.	2,550.00	to	2,574.99	102
4	57.	2,575.00	to	2,599.99	103
5	58.	.....	2,600.00	to	2,624.99	.....	104
6	59.	.....	2,625.00	to	2,649.99	.....	105
7	60.	.....	2,650.00	to	2,674.99	.....	106
8	61.	.....	2,675.00	to	2,699.99	.....	107
9	62.	.....	2,700.00	to	2,724.99	.....	108
10	63.	.....	2,725.00	to	2,749.99	.....	109
11	64.	.....	2,750.00	to	2,774.99	.....	110
12	65.	.....	2,775.00	to	2,799.99	.....	111
13	66.	.....	2,800.00	to	2,824.99	.....	112
14	67.	.....	2,825.00	to	2,849.99	.....	113
15	68.	.....	2,850.00	to	2,874.99	.....	114
16	69.	.....	2,875.00	to	2,899.99	.....	115
17	70.	.....	2,900.00	to	2,924.99	.....	116
18	71.	.....	2,925.00	to	2,949.99	.....	117
19	72.	.....	2,950.00	to	2,974.99	.....	118
20	73.	.....	2,975.00	to	2,999.99	.....	119
21	74.	.....	3,000.00	to	3,024.99	.....	120
22	75.	.....	3,025.00	to	3,049.99	.....	121
23	76.	.....	3,050.00	to	3,074.99	.....	122
24	77.	.....	3,075.00	to	3,099.99	.....	123

ASSEMBLY BILL 553

1	78.	.....	3,100.00	to	3,124.99	.....	124
2	79.	.....	3,125.00	to	3,149.99	.....	125
3	80.	.....	3,150.00	to	3,174.99	.....	126
4	81.	.....	3,175.00	to	3,199.99	.....	127
5	82.	.....	3,200.00	to	3,224.99	.....	128
6	83.	.....	3,225.00	to	3,249.99	.....	129
7	84.	.....	3,250.00	to	3,274.99	.....	130
8	85.	.....	3,275.00	to	3,299.99	.....	131
9	86.	.....	3,300.00	to	3,324.99	.....	132
10	87.	.....	3,325.00	to	3,349.99	.....	133
11	88.	.....	3,350.00	to	3,374.99	.....	134
12	89.	.....	3,375.00	to	3,399.99	.....	135
13	90.	.....	3,400.00	to	3,424.99	.....	136
14	91.	.....	3,425.00	to	3,449.99	.....	137
15	92.	.....	3,450.00	to	3,474.99	.....	138
16	93.	.....	3,475.00	to	3,499.99	.....	139
17	94.	.....	3,500.00	to	3,524.99	.....	140
18	95.	.....	3,525.00	to	3,549.99	.....	141
19	96.	.....	3,550.00	to	3,574.99	.....	142
20	97.	.....	3,575.00	to	3,599.99	.....	143
21	98.	.....	3,600.00	to	3,624.99	.....	144
22	99.	.....	3,625.00	to	3,649.99	.....	145
23	100.	.....	3,650.00	to	3,674.99	.....	146
24	101.	.....	3,675.00	to	3,699.99	.....	147

ASSEMBLY BILL 553**SECTION 35**

1	102.	3,700.00	to	3,724.99	.....	148
2	103.	3,725.00	to	3,749.99	.....	149
3	104.	3,750.00	to	3,774.99	.....	150
4	105.	3,775.00	to	3,799.99	.....	151
5	106.	3,800.00	to	3,824.99	.....	152
6	107.	3,825.00	to	3,849.99	.....	153
7	108.	3,850.00	to	3,874.99	.....	154
8	109.	3,875.00	to	3,899.99	.....	155
9	110.	3,900.00	to	3,924.99	.....	156
10	111.	3,925.00	to	3,949.99	.....	157
11	112.	3,950.00	to	3,974.99	.....	158
12	113.	3,975.00	to	3,999.99	.....	159
13	114.	4,000.00	to	4,024.99	.....	160
14	115.	4,025.00	to	4,049.99	.....	161
15	116.	4,050.00	to	4,074.99	.....	162
16	117.	4,075.00	to	4,099.99	.....	163
17	118.	4,100.00	to	4,124.99	.....	164
18	119.	4,125.00	to	4,149.99	.....	165
19	120.	4,150.00	to	4,174.99	.....	166
20	121.	4,175.00	to	4,199.99	.....	167
21	122.	4,200.00	to	4,224.99	.....	168
22	123.	4,225.00	to	4,249.99	.....	169
23	124.	4,250.00	to	4,274.99	.....	170
24	125.	4,275.00	to	4,299.99	.....	171

ASSEMBLY BILL 553

1	126.	4,300.00	to	4,324.99	.....	172
2	127.	4,325.00	to	4,349.99	.....	173
3	128.	4,350.00	to	4,374.99	.....	174
4	129.	4,375.00	to	4,399.99	.....	175
5	130.	4,400.00	to	4,424.99	.....	176
6	131.	4,425.00	to	4,449.99	.....	177
7	132.	4,450.00	to	4,474.99	.....	178
8	133.	4,475.00	to	4,499.99	.....	179
9	134.	4,500.00	to	4,524.99	.....	180
10	135.	4,525.00	to	4,549.99	.....	181
11	136.	4,550.00	to	4,574.99	.....	182
12	137.	4,575.00	to	4,599.99	.....	183
13	138.	4,600.00	to	4,624.99	.....	184
14	139.	4,625.00	to	4,649.99	.....	185
15	140.	4,650.00	to	4,674.99	.....	186
16	141.	4,675.00	to	4,699.99	.....	187
17	142.	4,700.00	to	4,724.99	.....	188
18	143.	4,725.00	to	4,749.99	.....	189
19	144.	4,750.00	to	4,774.99	.....	190
20	145.	4,775.00	to	4,799.99	.....	191
21	146.	4,800.00	to	4,824.99	.....	192
22	147.	4,825.00	to	4,849.99	.....	193
23	148.	4,850.00	to	4,874.99	.....	194
24	149.	4,875.00	to	4,899.99	.....	195

ASSEMBLY BILL 553**SECTION 35**

1	150.	4,900.00	to	4,924.99	.....	196
2	151.	4,925.00	to	4,949.99	.....	197
3	152.	4,950.00	to	4,974.99	.....	198
4	153.	4,975.00	to	4,999.99	.....	199
5	154.	5,000.00	to	5,024.99	.....	200
6	155.	5,025.00	to	5,049.99	.....	201
7	156.	5,050.00	to	5,074.99	.....	202
8	157.	5,075.00	to	5,099.99	.....	203
9	158.	5,100.00	to	5,124.99	.....	204
10	159.	5,125.00	to	5,149.99	.....	205
11	160.	5,150.00	to	5,174.99	.....	206
12	161.	5,175.00	to	5,199.99	.....	207
13	162.	5,200.00	to	5,224.99	.....	208
14	163.	5,225.00	to	5,249.99	.....	209
15	164.	5,250.00	to	5,274.99	.....	210
16	165.	5,275.00	to	5,299.99	.....	211
17	166.	5,300.00	to	5,324.99	.....	212
18	167.	5,325.00	to	5,349.99	.....	213
19	168.	5,350.00	to	5,374.99	.....	214
20	169.	5,375.00	to	5,399.99	.....	215
21	170.	5,400.00	to	5,424.99	.....	216
22	171.	5,425.00	to	5,449.99	.....	217
23	172.	5,450.00	to	5,474.99	.....	218
24	173.	5,475.00	to	5,499.99	.....	219

ASSEMBLY BILL 553

1	174.	5,500.00	to	5,524.99	.....	220
2	175.	5,525.00	to	5,549.99	.....	221
3	176.	5,550.00	to	5,574.99	.....	222
4	177.	5,575.00	to	5,599.99	.....	223
5	178.	5,600.00	to	5,624.99	.....	224
6	179.	5,625.00	to	5,649.99	.....	225
7	180.	5,650.00	to	5,674.99	.....	226
8	181.	5,675.00	to	5,699.99	.....	227
9	182.	5,700.00	to	5,724.99	.....	228
10	183.	5,725.00	to	5,749.99	.....	229
11	184.	5,750.00	to	5,774.99	.....	230
12	185.	5,775.00	to	5,799.99	.....	231
13	186.	5,800.00	to	5,824.99	.....	232
14	187.	5,825.00	to	5,849.99	.....	233
15	188.	5,850.00	to	5,874.99	.....	234
16	189.	5,875.00	to	5,899.99	.....	235
17	190.	5,900.00	to	5,924.99	.....	236
18	191.	5,925.00	to	5,949.99	.....	237
19	192.	5,950.00	to	5,974.99	.....	238
20	193.	5,975.00	to	5,999.99	.....	239
21	194.	6,000.00	to	6,024.99	.....	240
22	195.	6,025.00	to	6,049.99	.....	241
23	196.	6,050.00	to	6,074.99	.....	242
24	197.	6,075.00	to	6,099.99	.....	243

ASSEMBLY BILL 553**SECTION 35**

1	198.	6,100.00	to	6,124.99	.....	244
2	199.	6,125.00	to	6,149.99	.....	245
3	200.	6,150.00	to	6,174.99	.....	246
4	201.	6,175.00	to	6,199.99	.....	247
5	202.	6,200.00	to	6,224.99	.....	248
6	203.	6,225.00	to	6,249.99	.....	249
7	204.	6,250.00	to	6,274.99	.....	250
8	205.	6,275.00	to	6,299.99	.....	251
9	206.	6,300.00	to	6,324.99	.....	252
10	207.	6,325.00	to	6,349.99	.....	253
11	208.	6,350.00	to	6,374.99	.....	254
12	209.	6,375.00	to	6,399.99	.....	255
13	210.	6,400.00	to	6,424.99	.....	256
14	211.	6,425.00	to	6,449.99	.....	257
15	212.	6,450.00	to	6,474.99	.....	258
16	213.	6,475.00	to	6,499.99	.....	259
17	214.	6,500.00	to	6,524.99	.....	260
18	215.	6,525.00	to	6,549.99	.....	261
19	216.	6,550.00	to	6,574.99	.....	262
20	217.	6,575.00	to	6,599.99	.....	263
21	218.	6,600.00	to	6,624.99	.....	264
22	219.	6,625.00	to	6,649.99	.....	265
23	220.	6,650.00	to	6,674.99	.....	266
24	221.	6,675.00	to	6,699.99	.....	267

ASSEMBLY BILL 553

1	222.	6,700.00	to	6,724.99	.....	268
2	223.	6,725.00	to	6,749.99	.....	269
3	224.	6,750.00	to	6,774.99	.....	270
4	225.	6,775.00	to	6,799.99	.....	271
5	226.	6,800.00	to	6,824.99	.....	272
6	227.	6,825.00	to	6,849.99	.....	273
7	228.	6,850.00	to	6,874.99	.....	274
8	229.	6,875.00	to	6,899.99	.....	275
9	230.	6,900.00	to	6,924.99	.....	276
10	231.	6,925.00	to	6,949.99	.....	277
11	232.	6,950.00	to	6,974.99	.....	278
12	233.	6,975.00	to	6,999.99	.....	279
13	234.	7,000.00	to	7,024.99	.....	280
14	235.	7,025.00	to	7,049.99	.....	281
15	236.	7,050.00	to	7,074.99	.....	282
16	237.	7,075.00	to	7,099.99	.....	283
17	238.	7,100.00	to	7,124.99	.....	284
18	239.	7,125.00	to	7,149.99	.....	285
19	240.	7,150.00	to	7,174.99	.....	286
20	241.	7,175.00	to	7,199.99	.....	287
21	242.	7,200.00	to	7,224.99	.....	288
22	243.	7,225.00	to	7,249.99	.....	289
23	244.	7,250.00	to	7,274.99	.....	290
24	245.	7,275.00	to	7,299.99	.....	291

ASSEMBLY BILL 553**SECTION 35**

1	246.	7,300.00	to	7,324.99	.....	292
2	247.	7,325.00	to	7,349.99	.....	293
3	248.	7,350.00	to	7,374.99	.....	294
4	249.	7,375.00	to	7,399.99	.....	295
5	250.	7,400.00	to	7,424.99	.....	296
6	251.	7,425.00	to	7,449.99	.....	297
7	252.	7,450.00	to	7,474.99	.....	298
8	253.	7,475.00	to	7,499.99	.....	299
9	254.	7,500.00	to	7,524.99	.....	300
10	255.	7,525.00	to	7,549.99	.....	301
11	256.	7,550.00	to	7,574.99	.....	302
12	257.	7,575.00	to	7,599.99	.....	303
13	258.	7,600.00	to	7,624.99	.....	304
14	259.	7,625.00	to	7,649.99	.....	305
15	260.	7,650.00	to	7,674.99	.....	306
16	261.	7,675.00	to	7,699.99	.....	307
17	262.	7,700.00	to	7,724.99	.....	308
18	263.	7,725.00	to	7,749.99	.....	309
19	264.	7,750.00	to	7,774.99	.....	310
20	265.	7,775.00	to	7,799.99	.....	311
21	266.	7,800.00	to	7,824.99	.....	312
22	267.	7,825.00	to	7,849.99	.....	313
23	268.	7,850.00	to	7,874.99	.....	314
24	269.	7,875.00	to	7,899.99	.....	315

ASSEMBLY BILL 553

1	270.	7,900.00	to	7,924.99	.....	316
2	271.	7,925.00	to	7,949.99	.....	317
3	272.	7,950.00	to	7,974.99	.....	318
4	273.	7,975.00	to	7,999.99	.....	319
5	274.	8,000.00	to	8,024.99	.....	320
6	275.	8,025.00	to	8,049.99	.....	321
7	276.	8,050.00	to	8,074.99	.....	322
8	277.	8,075.00	to	8,099.99	.....	323
9	278.	8,100.00		and over	.....	324

10

11 (n) Each eligible employee shall be paid benefits for each week of total

12 unemployment which commences on or after December 29, 2002, at the weekly

13 benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit

14 rate shall equal 4% of the employee’s base period wages which were paid during that

15 quarter of the employee’s base period in which the employee was paid the highest

16 total wages, rounded down to the nearest whole dollar, except that, if that amount

17 is less than the minimum amount shown in the following schedule, no benefits are

18 payable to the employee and, if that amount is more than the maximum amount

19 shown in the following schedule, the employee’s weekly benefit rate shall be the

20 maximum amount shown in the following schedule and except that, if the employee’s

21 benefits are exhausted during any week under s. 108.06 (1), the employee shall be

ASSEMBLY BILL 553

SECTION 35

1 paid the remaining amount of benefits payable to the employee in lieu of the amount
2 shown in the following schedule: [See Figure 108.05 (1) (n) following]

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4 **Figure 108.05 (1) (n):**

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Line	Highest Quarterly Wages Paid	Weekly Benefit Rate
1.	Under \$1,225.00	\$ 0
2.	1,225.00 to 1,249.99	49
3.	1,250.00 to 1,274.99	50
4.	1,275.00 to 1,299.99	51
5.	1,300.00 to 1,324.99	52
6.	1,325.00 to 1,349.99	53
7.	1,350.00 to 1,374.99	54
8.	1,375.00 to 1,399.99	55
9.	1,400.00 to 1,424.99	56
10.	1,425.00 to 1,449.99	57
11.	1,450.00 to 1,474.99	58
12.	1,475.00 to 1,499.99	59
13.	1,500.00 to 1,524.99	60
14.	1,525.00 to 1,549.99	61
15.	1,550.00 to 1,574.99	62
16.	1,575.00 to 1,599.99	63
17.	1,600.00 to 1,624.99	64

ASSEMBLY BILL 553

1	18.	.....	1,625.00	to	1,649.99	.....	65
2	19.	.....	1,650.00	to	1,674.99	.....	66
3	20.	.....	1,675.00	to	1,699.99	.....	67
4	21.	.....	1,700.00	to	1,724.99	.....	68
5	22.	.....	1,725.00	to	1,749.99	.....	69
6	23.	.....	1,750.00	to	1,774.99	.....	70
7	24.	.....	1,775.00	to	1,799.99	.....	71
8	25.	.....	1,800.00	to	1,824.99	.....	72
9	26.	.....	1,825.00	to	1,849.99	.....	73
10	27.	.....	1,850.00	to	1,874.99	.....	74
11	28.	.....	1,875.00	to	1,899.99	.....	75
12	29.	.....	1,900.00	to	1,924.99	.....	76
13	30.	.....	1,925.00	to	1,949.99	.....	77
14	31.	.....	1,950.00	to	1,974.99	.....	78
15	32.	.....	1,975.00	to	1,999.99	.....	79
16	33.	.....	2,000.00	to	2,024.99	.....	80
17	34.	.....	2,025.00	to	2,049.99	.....	81
18	35.	.....	2,050.00	to	2,074.99	.....	82
19	36.	.....	2,075.00	to	2,099.99	.....	83
20	37.	.....	2,100.00	to	2,124.99	.....	84
21	38.	.....	2,125.00	to	2,149.99	.....	85
22	39.	.....	2,150.00	to	2,174.99	.....	86
23	40.	.....	2,175.00	to	2,199.99	.....	87
24	41.	.....	2,200.00	to	2,224.99	.....	88

ASSEMBLY BILL 553**SECTION 35**

1	42.	.....	2,225.00	to	2,249.99	.....	89
2	43.	.....	2,250.00	to	2,274.99	.....	90
3	44.	.....	2,275.00	to	2,299.99	.....	91
4	45.	.....	2,300.00	to	2,324.99	.....	92
5	46.	.....	2,325.00	to	2,349.99	.....	93
6	47.	.....	2,350.00	to	2,374.99	.....	94
7	48.	.....	2,375.00	to	2,399.99	.....	95
8	49.	.....	2,400.00	to	2,424.99	.....	96
9	50.	.....	2,425.00	to	2,449.99	.....	97
10	51.	.....	2,450.00	to	2,474.99	.....	98
11	52.	.....	2,475.00	to	2,499.99	.....	99
12	53.	.....	2,500.00	to	2,524.99	.....	100
13	54.	.....	2,525.00	to	2,549.99	.....	101
14	55.	.....	2,550.00	to	2,574.99	.....	102
15	56.	.....	2,575.00	to	2,599.99	.....	103
16	57.	.....	2,600.00	to	2,624.99	.....	104
17	58.	.....	2,625.00	to	2,649.99	.....	105
18	59.	.....	2,650.00	to	2,674.99	.....	106
19	60.	.....	2,675.00	to	2,699.99	.....	107
20	61.	.....	2,700.00	to	2,724.99	.....	108
21	62.	.....	2,725.00	to	2,749.99	.....	109
22	63.	.....	2,750.00	to	2,774.99	.....	110
23	64.	.....	2,775.00	to	2,799.99	.....	111
24	65.	.....	2,800.00	to	2,824.99	.....	112

ASSEMBLY BILL 553

1	66.	.....	2,825.00	to	2,849.99	.....	113
2	67.	.....	2,850.00	to	2,874.99	.....	114
3	68.	.....	2,875.00	to	2,899.99	.....	115
4	69.	.....	2,900.00	to	2,924.99	.....	116
5	70.	.....	2,925.00	to	2,949.99	.....	117
6	71.	.....	2,950.00	to	2,974.99	.....	118
7	72.	.....	2,975.00	to	2,999.99	.....	119
8	73.	.....	3,000.00	to	3,024.99	.....	120
9	74.	.....	3,025.00	to	3,049.99	.....	121
10	75.	.....	3,050.00	to	3,074.99	.....	122
11	76.	.....	3,075.00	to	3,099.99	.....	123
12	77.	.....	3,100.00	to	3,124.99	.....	124
13	78.	.....	3,125.00	to	3,149.99	.....	125
14	79.	.....	3,150.00	to	3,174.99	.....	126
15	80.	.....	3,175.00	to	3,199.99	.....	127
16	81.	.....	3,200.00	to	3,224.99	.....	128
17	82.	.....	3,225.00	to	3,249.99	.....	129
18	83.	.....	3,250.00	to	3,274.99	.....	130
19	84.	.....	3,275.00	to	3,299.99	.....	131
20	85.	.....	3,300.00	to	3,324.99	.....	132
21	86.	.....	3,325.00	to	3,349.99	.....	133
22	87.	.....	3,350.00	to	3,374.99	.....	134
23	88.	.....	3,375.00	to	3,399.99	.....	135
24	89.	.....	3,400.00	to	3,424.99	.....	136

ASSEMBLY BILL 553**SECTION 35**

1	90.	.....	3,425.00	to	3,449.99	.....	137
2	91.	.....	3,450.00	to	3,474.99	.....	138
3	92.	.....	3,475.00	to	3,499.99	.....	139
4	93.	.....	3,500.00	to	3,524.99	.....	140
5	94.	.....	3,525.00	to	3,549.99	.....	141
6	95.	.....	3,550.00	to	3,574.99	.....	142
7	96.	.....	3,575.00	to	3,599.99	.....	143
8	97.	.....	3,600.00	to	3,624.99	.....	144
9	98.	.....	3,625.00	to	3,649.99	.....	145
10	99.	.....	3,650.00	to	3,674.99	.....	146
11	100.	.....	3,675.00	to	3,699.99	.....	147
12	101.	.....	3,700.00	to	3,724.99	.....	148
13	102.	.....	3,725.00	to	3,749.99	.....	149
14	103.	.....	3,750.00	to	3,774.99	.....	150
15	104.	.....	3,775.00	to	3,799.99	.....	151
16	105.	.....	3,800.00	to	3,824.99	.....	152
17	106.	.....	3,825.00	to	3,849.99	.....	153
18	107.	.....	3,850.00	to	3,874.99	.....	154
19	108.	.....	3,875.00	to	3,899.99	.....	155
20	109.	.....	3,900.00	to	3,924.99	.....	156
21	110.	.....	3,925.00	to	3,949.99	.....	157
22	111.	.....	3,950.00	to	3,974.99	.....	158
23	112.	.....	3,975.00	to	3,999.99	.....	159
24	113.	.....	4,000.00	to	4,024.99	.....	160

ASSEMBLY BILL 553

1	114.	4,025.00	to	4,049.99	.....	161
2	115.	4,050.00	to	4,074.99	.....	162
3	116.	4,075.00	to	4,099.99	.....	163
4	117.	4,100.00	to	4,124.99	.....	164
5	118.	4,125.00	to	4,149.99	.....	165
6	119.	4,150.00	to	4,174.99	.....	166
7	120.	4,175.00	to	4,199.99	.....	167
8	121.	4,200.00	to	4,224.99	.....	168
9	122.	4,225.00	to	4,249.99	.....	169
10	123.	4,250.00	to	4,274.99	.....	170
11	124.	4,275.00	to	4,299.99	.....	171
12	125.	4,300.00	to	4,324.99	.....	172
13	126.	4,325.00	to	4,349.99	.....	173
14	127.	4,350.00	to	4,374.99	.....	174
15	128.	4,375.00	to	4,399.99	.....	175
16	129.	4,400.00	to	4,424.99	.....	176
17	130.	4,425.00	to	4,449.99	.....	177
18	131.	4,450.00	to	4,474.99	.....	178
19	132.	4,475.00	to	4,499.99	.....	179
20	133.	4,500.00	to	4,524.99	.....	180
21	134.	4,525.00	to	4,549.99	.....	181
22	135.	4,550.00	to	4,574.99	.....	182
23	136.	4,575.00	to	4,599.99	.....	183
24	137.	4,600.00	to	4,624.99	.....	184

ASSEMBLY BILL 553**SECTION 35**

1	138.	4,625.00	to	4,649.99	.....	185
2	139.	4,650.00	to	4,674.99	.....	186
3	140.	4,675.00	to	4,699.99	.....	187
4	141.	4,700.00	to	4,724.99	.....	188
5	142.	4,725.00	to	4,749.99	.....	189
6	143.	4,750.00	to	4,774.99	.....	190
7	144.	4,775.00	to	4,799.99	.....	191
8	145.	4,800.00	to	4,824.99	.....	192
9	146.	4,825.00	to	4,849.99	.....	193
10	147.	4,850.00	to	4,874.99	.....	194
11	148.	4,875.00	to	4,899.99	.....	195
12	149.	4,900.00	to	4,924.99	.....	196
13	150.	4,925.00	to	4,949.99	.....	197
14	151.	4,950.00	to	4,974.99	.....	198
15	152.	4,975.00	to	4,999.99	.....	199
16	153.	5,000.00	to	5,024.99	.....	200
17	154.	5,025.00	to	5,049.99	.....	201
18	155.	5,050.00	to	5,074.99	.....	202
19	156.	5,075.00	to	5,099.99	.....	203
20	157.	5,100.00	to	5,124.99	.....	204
21	158.	5,125.00	to	5,149.99	.....	205
22	159.	5,150.00	to	5,174.99	206
23	160.	5,175.00	to	5,199.99	207
24	161.	5,200.00	to	5,224.99	208

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1	162.	5,225.00	to	5,249.99	209
2	163.	5,250.00	to	5,274.99	210
3	164.	5,275.00	to	5,299.99	211
4	165.	5,300.00	to	5,324.99	.....	212
5	166.	5,325.00	to	5,349.99	.....	213
6	167.	5,350.00	to	5,374.99	.....	214
7	168.	5,375.00	to	5,399.99	.....	215
8	169.	5,400.00	to	5,424.99	.....	216
9	170.	5,425.00	to	5,449.99	.....	217
10	171.	5,450.00	to	5,474.99	.....	218
11	172.	5,475.00	to	5,499.99	.....	219
12	173.	5,500.00	to	5,524.99	.....	220
13	174.	5,525.00	to	5,549.99	.....	221
14	175.	5,550.00	to	5,574.99	.....	222
15	176.	5,575.00	to	5,599.99	.....	223
16	177.	5,600.00	to	5,624.99	.....	224
17	178.	5,625.00	to	5,649.99	.....	225
18	179.	5,650.00	to	5,674.99	.....	226
19	180.	5,675.00	to	5,699.99	.....	227
20	181.	5,700.00	to	5,724.99	.....	228
21	182.	5,725.00	to	5,749.99	.....	229
22	183.	5,750.00	to	5,774.99	230
23	184.	5,775.00	to	5,799.99	231
24	185.	5,800.00	to	5,824.99	232

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1	186.	5,825.00	to	5,849.99	233
2	187.	5,850.00	to	5,874.99	234
3	188.	5,875.00	to	5,899.99	235
4	189.	5,900.00	to	5,924.99	.....	236
5	190.	5,925.00	to	5,949.99	.....	237
6	191.	5,950.00	to	5,974.99	.....	238
7	192.	5,975.00	to	5,999.99	.....	239
8	193.	6,000.00	to	6,024.99	.....	240
9	194.	6,025.00	to	6,049.99	.....	241
10	195.	6,050.00	to	6,074.99	.....	242
11	196.	6,075.00	to	6,099.99	.....	243
12	197.	6,100.00	to	6,124.99	.....	244
13	198.	6,125.00	to	6,149.99	.....	245
14	199.	6,150.00	to	6,174.99	.....	246
15	200.	6,175.00	to	6,199.99	.....	247
16	201.	6,200.00	to	6,224.99	.....	248
17	202.	6,225.00	to	6,249.99	.....	249
18	203.	6,250.00	to	6,274.99	.....	250
19	204.	6,275.00	to	6,299.99	.....	251
20	205.	6,300.00	to	6,324.99	.....	252
21	206.	6,325.00	to	6,349.99	.....	253
22	207.	6,350.00	to	6,374.99	254
23	208.	6,375.00	to	6,399.99	255
24	209.	6,400.00	to	6,424.99	256

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1	210.	6,425.00	to	6,449.99	257
2	211.	6,450.00	to	6,474.99	258
3	212.	6,475.00	to	6,499.99	259
4	213.	6,500.00	to	6,524.99	.....	260
5	214.	6,525.00	to	6,549.99	.....	261
6	215.	6,550.00	to	6,574.99	.....	262
7	216.	6,575.00	to	6,599.99	.....	263
8	217.	6,600.00	to	6,624.99	.....	264
9	218.	6,625.00	to	6,649.99	.....	265
10	219.	6,650.00	to	6,674.99	.....	266
11	220.	6,675.00	to	6,699.99	.....	267
12	221.	6,700.00	to	6,724.99	.....	268
13	222.	6,725.00	to	6,749.99	.....	269
14	223.	6,750.00	to	6,774.99	.....	270
15	224.	6,775.00	to	6,799.99	.....	271
16	225.	6,800.00	to	6,824.99	.....	272
17	226.	6,825.00	to	6,849.99	.....	273
18	227.	6,850.00	to	6,874.99	.....	274
19	228.	6,875.00	to	6,899.99	.....	275
20	229.	6,900.00	to	6,924.99	.....	276
21	230.	6,925.00	to	6,949.99	.....	277
22	231.	6,950.00	to	6,974.99	.....	278
23	232.	6,975.00	to	6,999.99	.....	279
24	233.	7,000.00	to	7,024.99	.....	280

ASSEMBLY BILL 553**SECTION 35**

1	234.	7,025.00	to	7,049.99	.....	281
2	235.	7,050.00	to	7,074.99	.....	282
3	236.	7,075.00	to	7,099.99	.....	283
4	237.	7,100.00	to	7,124.99	.....	284
5	238.	7,125.00	to	7,149.99	.....	285
6	239.	7,150.00	to	7,174.99	.....	286
7	240.	7,175.00	to	7,199.99	.....	287
8	241.	7,200.00	to	7,224.99	.....	288
9	242.	7,225.00	to	7,249.99	.....	289
10	243.	7,250.00	to	7,274.99	.....	290
11	244.	7,275.00	to	7,299.99	.....	291
12	245.	7,300.00	to	7,324.99	.....	292
13	246.	7,325.00	to	7,349.99	.....	293
14	247.	7,350.00	to	7,374.99	.....	294
15	248.	7,375.00	to	7,399.99	.....	295
16	249.	7,400.00	to	7,424.99	.....	296
17	250.	7,425.00	to	7,449.99	.....	297
18	251.	7,450.00	to	7,474.99	.....	298
19	252.	7,475.00	to	7,499.99	.....	299
20	253.	7,500.00	to	7,524.99	.....	300
21	254.	7,525.00	to	7,549.99	.....	301
22	255.	7,550.00	to	7,574.99	302
23	256.	7,575.00	to	7,599.99	303
24	257.	7,600.00	to	7,624.99	304

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1	258.	7,625.00	to	7,649.99	305
2	259.	7,650.00	to	7,674.99	306
3	260.	7,675.00	to	7,699.99	307
4	261.	7,700.00	to	7,724.99	.....	308
5	262.	7,725.00	to	7,749.99	.....	309
6	263.	7,750.00	to	7,774.99	.....	310
7	264.	7,775.00	to	7,799.99	.....	311
8	265.	7,800.00	to	7,824.99	.....	312
9	266.	7,825.00	to	7,849.99	.....	313
10	267.	7,850.00	to	7,874.99	.....	314
11	268.	7,875.00	to	7,899.99	.....	315
12	269.	7,900.00	to	7,924.99	.....	316
13	270.	7,925.00	to	7,949.99	.....	317
14	271.	7,950.00	to	7,974.99	.....	318
15	272.	7,975.00	to	7,999.99	.....	319
16	273.	8,000.00	to	8,024.99	.....	320
17	274.	8,025.00	to	8,049.99	.....	321
18	275.	8,050.00	to	8,074.99	.....	322
19	276.	8,075.00	to	8,099.99	.....	323
20	277.	8,100.00	to	8,124.99	.....	324
21	278.	8,125.00	to	8,149.99	325
22	279.	8,150.00	to	8,174.99	326
23	280.	8,175.00	to	8,199.99	327

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SECTION 35

1 281. 8,200.00 to 8,224.99 328

2 282. 8,225.00 and over 329

3 _____

4 **SECTION 36.** 108.05 (7) (a) 1. of the statutes is amended to read:

5 108.05 (7) (a) 1. “Pension payment” means a pension, retirement, annuity, or
6 other similar payment made to a claimant, based on the previous work of that
7 claimant, whether or not payable on a periodic basis, from a governmental or other
8 retirement system maintained or contributed to by an employer from which that
9 claimant has base period wages, other than a payment received under the federal
10 Social Security Act (42 USC 301 et seq.).

11 **SECTION 37.** 108.05 (7) (f) 1. of the statutes is amended to read:

12 108.05 (7) (f) 1. If the pension payment is received under the ~~social security act~~
13 ~~(42 USC 301 et seq.)~~ or railroad retirement act (45 USC 231 et seq.), the department
14 shall reduce the weekly benefits payable for a week of partial or total unemployment
15 by 50% of the weekly pension amount.

16 **SECTION 38.** 108.065 (1) of the statutes is amended to read:

17 108.065 (1) ~~An employee service~~ A temporary help company is the employer
18 of an individual who the company engages in employment to perform services for a
19 client or customer of the company.

20 **SECTION 39.** 108.065 (1m) of the statutes is created to read:

21 108.065 (1m) A professional employer organization is the employer of the
22 employees who it engages to perform services for its client, including a corporate
23 officer if the officer’s position is included in the employee leasing agreement with the
24 client.

25 **SECTION 40.** 108.067 of the statutes is created to read:

ASSEMBLY BILL 553**1 108.067 Professional employer organizations and leasing agreements.**

2 **(1)** Each professional employer organization that enters into an employee leasing
3 agreement with a client during any calendar quarter shall submit to the department,
4 no later than the due date for the report under s. 108.17 (2) relating to that quarter,
5 in the form prescribed by the department, a report disclosing the identity of that
6 client and such other information as the department prescribes.

7 **(2)** If a professional employer organization and client terminate an employee
8 leasing agreement, the professional employer organization and client shall notify the
9 department within 10 working days of the termination.

10 **(3)** Notwithstanding s. 108.02 (13) (i), if an employer that is a client of a
11 professional employer organization enters into an employee leasing agreement with
12 the organization that results in the discontinuance of all employees of the employer
13 who are engaged in employment, the department shall maintain the employer
14 account of the client for a period of 5 full calendar years after the beginning of the
15 agreement. If the employee leasing agreement is terminated prior to the end of the
16 5-year period, the client shall so notify the department and resume all
17 responsibilities as the employer of its employees under this chapter as of the date of
18 termination. Section 108.02 (13) (i) applies if the employee leasing agreement is
19 terminated before the end of the 5-year period and the conditions for termination of
20 coverage set forth in s. 108.02 (13) (i) exist.

21 **SECTION 41.** 108.09 (3) (a) of the statutes is renumbered 108.09 (3) (a) 1. and
22 amended to read:

23 108.09 **(3)** (a) 1. To hear and decide disputed claims, the department shall
24 establish appeal tribunals. Except as authorized in this paragraph, each of which

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1 tribunal shall consist of an individual who is a permanent employee of the
2 department.

3 3. Upon request of a party to an appeal or upon its own motion, the department
4 may appoint an individual who is not a permanent employee of the department to
5 hear an appeal in which the department or an employee or former employee of the
6 department is an interested party. No individual may hear any appeal in which the
7 individual is a directly interested party.

8 **SECTION 42.** 108.09 (3) (a) 2. of the statutes is created to read:

9 108.09 **(3)** (a) 2. The department may appoint an individual who is not a
10 permanent employee of the department to serve as a temporary reserve appeal
11 tribunal if the individual formerly served as an appeal tribunal while employed by
12 the department and retired from state service as a permanent employee. An
13 individual who is appointed to serve as a temporary reserve appeal tribunal shall be
14 an attorney who is licensed to practice in this state.

15 **SECTION 43.** 108.14 (2e) of the statutes is created to read:

16 108.14 **(2e)** The department may provide a secure means of electronic
17 interchange between itself and employing units, claimants, and other persons
18 which, upon request to and with prior approval by the department, may be used for
19 departmental transmission or receipt of any document specified by the department
20 that is related to the administration of this chapter in lieu of any other means of
21 submission or receipt specified in this chapter. If a due date is established by statute
22 for the receipt of any document that is submitted electronically to the department
23 under this subsection, then that submission is timely only if the document is
24 submitted by midnight of the statutory due date.

25 **SECTION 44.** 108.14 (19) of the statutes is created to read:

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1 108.14 **(19)** On or about February 15 annually, the department shall prepare
2 and furnish to the council on unemployment insurance a report summarizing the
3 department's activities related to detection and prosecution of unemployment
4 insurance fraud in the preceding year.

5 **SECTION 45.** 108.141 (7) (c) of the statutes is created to read:

6 108.141 **(7)** (c) The department shall charge the full amount of extended
7 benefits based upon employment for an Indian tribe to the account of the Indian
8 tribe.

9 **SECTION 46.** 108.152 of the statutes is created to read:

10 **108.152 Financing benefits for employees of Indian tribes. (1)** ELECTION
11 OF REIMBURSEMENT FINANCING. Each Indian tribe which is an employer may, in lieu
12 of paying contributions under ss. 108.17 and 108.18, elect reimbursement financing
13 for itself as a whole or for any tribal units or combinations of tribal units which are
14 wholly owned subdivisions, subsidiaries or business enterprises, as of the beginning
15 of any calendar year, subject to the following conditions:

16 (a) The Indian tribe or tribal unit shall file a written notice of the election with
17 the department before the beginning of that year except that, if the Indian tribe or
18 tribal unit became an employer as of the beginning of that year, it shall file the notice
19 within 30 days after the date of the determination that it is an employer.

20 (b) An Indian tribe or tribal unit whose election of reimbursement financing is
21 terminated under sub. (2) (a) may not thereafter reelect reimbursement financing
22 unless it has been subject to the contribution requirements of ss. 108.17 and 108.18
23 for at least 3 calendar years thereafter and is not, at the time of filing such reelection,
24 delinquent under s. 108.22.

ASSEMBLY BILL 553**SECTION 46**

1 (c) No election of reimbursement financing is valid unless the Indian tribe or
2 tribal unit has satisfied the requirements of sub. (3) within 60 days after it files the
3 notice of election.

4 (d) If the Indian tribe or tribal unit is an employer prior to the effective date
5 of an election, ss. 108.17 and 108.18 shall apply to all employment prior to the
6 effective date of the election, but after all benefits based on prior employment have
7 been charged to any account that it has had under s. 108.16 (2), the department shall
8 transfer any positive balance or charge any negative balance remaining therein to
9 the balancing account as if s. 108.16 (6) (c) and (6m) (d) applied.

10 **(2) TERMINATION OF ELECTION.** (a) An Indian tribe or tribal unit that elected
11 reimbursement financing may terminate its election as of the close of the 2nd
12 calendar year to which the election applies, or at the close of any subsequent calendar
13 year, by filing a written notice of termination with the department before the close
14 of that year.

15 (b) If an Indian tribe or tribal unit terminates an election under this subsection,
16 the employer's contribution rate is 2.7% on its payroll for each of the next 3 calendar
17 years.

18 **(3) ASSURANCE OF REIMBURSEMENT.** An Indian tribe or tribal unit electing
19 reimbursement financing under sub. (1) shall file assurance of reimbursement in the
20 same manner and subject to the conditions provided for other employers under s.
21 108.151 (4).

22 **(4) REIMBURSEMENT ACCOUNT.** The department shall maintain a reimbursement
23 account, as a subaccount of the fund's balancing account, for each Indian tribe, tribal
24 unit, or combination of tribal units in accordance with any valid election made under

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1 subs. (1) and (5) and subject to the procedures and conditions provided for other
2 employers under s. 108.151 (5).

3 **(5) GROUP REIMBURSEMENT ACCOUNT.** An Indian tribe that has elected
4 reimbursement financing for tribal units or one or more combinations of tribal units
5 may request to have specified tribal units treated as one employer for purposes of this
6 chapter. The department shall approve any such request subject to the following
7 conditions:

8 (a) The tribal units shall be so treated for a period of at least the 3 calendar
9 years following their request, unless their election of reimbursement financing is
10 terminated under sub. (2) or (6), but the Indian tribe may discontinue the treatment
11 as of the beginning of any calendar year following that period by filing notice with
12 the department prior to the beginning of that calendar year.

13 (b) The tribal units shall be jointly and severally liable for any required
14 reimbursements, together with any interest thereon and any penalties or tardy filing
15 fees.

16 (c) The Indian tribe shall designate one or more individuals to act as an agent
17 for all members of the group for all fiscal and reporting purposes under this chapter.

18 **(6) FAILURE TO MAKE REQUIRED PAYMENTS OR FILE ASSURANCE OF REIMBURSEMENT.**

19 (a) If an Indian tribe or tribal unit fails to pay required contributions,
20 reimbursements in lieu of contributions, penalties, interest, or fees within 90 days
21 of the time that the department transmits to the tribe a final notice of delinquency,
22 or fails to file or maintain the required assurance of reimbursement as provided in
23 subs. (1) (c) and (3):

24 1. The department shall immediately notify the federal internal revenue
25 service and the federal department of labor of that failure.

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1 2. Any valid election of reimbursement financing is terminated as of the end
2 of the current calendar year and any pending election that fails to meet the
3 requirement to file an assurance of reimbursement under sub. (1) (c) is terminated
4 immediately.

5 3. The department may consider the Indian tribe not to be an employer and may
6 consider services performed for the tribe not to be employment for purposes of this
7 chapter.

8 (b) An Indian tribe whose prior election of reimbursement financing has been
9 terminated under par. (a) may not thereafter reelect reimbursement financing
10 unless it has been subject to the contribution requirements of ss. 108.17 and 108.18
11 for at least one calendar year thereafter and is not delinquent under s. 108.22 at the
12 time that it files a request for reelection.

13 (c) The final notice of delinquency specified in par. (a) shall include information
14 that failure to make full payment within the prescribed time will cause the Indian
15 tribe to be liable for taxes under the federal Unemployment Tax Act (26 USC 3301,
16 et seq.), will cause the tribe to be precluded from electing reimbursement financing,
17 and may cause the department to determine that the tribe is not an employer and
18 that services performed for the tribe are not employment for purposes of this chapter.

19 **SECTION 47.** 108.16 (6) (g) of the statutes is amended to read:

20 108.16 **(6)** (g) Any payment received for the balancing account under s. 108.15
21 or 108.152.

22 **SECTION 48.** 108.16 (6m) (a) of the statutes is amended to read:

23 108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (7) (h),
24 (8) (a), or (13) (c) or (d), 108.07 (3), (3r), (5) (b), (5m), (6), or (8), 108.14 (8n) (e), 108.141
25 ~~or~~, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

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1 **SECTION 49.** 108.16 (8) (b) (intro.) of the statutes is amended to read:

2 108.16 **(8)** (b) (intro.) If the business of any employer is transferred to a single
3 transferee, the transferee is deemed a successor for purposes of this chapter, if the
4 department determines that all of the following conditions have been satisfied:

5 **SECTION 50.** 108.16 (8) (b) 2. of the statutes is amended to read:

6 108.16 **(8)** (b) 2. The transfer included ~~at least 25%~~ 100% of the transferor's
7 total business ~~as measured by comparing the payroll experience assignable to the~~
8 ~~portion of the business transferred with the transferor's total payroll experience for~~
9 ~~the last 4 completed quarters immediately preceding~~ on the date of the transfer.

10 **SECTION 51.** 108.16 (8) (b) 3. of the statutes is amended to read:

11 108.16 **(8)** (b) 3. The same financing provisions under s. 108.15, 108.151,
12 108.152, or 108.18 apply to the transferee as applied to the transferor on the date of
13 the transfer.

14 **SECTION 52.** 108.16 (8) (c) 3. of the statutes is amended to read:

15 108.16 **(8)** (c) 3. The same financing provisions under s. 108.15, 108.151,
16 108.152, or 108.18 apply to the transferee as applied to the transferor on the date of
17 transfer.

18 **SECTION 53.** 108.16 (8) (c) 4. of the statutes is created to read:

19 108.16 **(8)** (c) 4. The transferor transfers 100% of the transferor's total business
20 on the date of the transfer or the transferor's account was overdrawn on the date of
21 the transfer.

22 **SECTION 54.** 108.16 (8) (e) 3. of the statutes is amended to read:

23 108.16 **(8)** (e) 3. The same financing provisions under s. 108.15, 108.151,
24 108.152, or 108.18 apply to the transferee as applied to the transferor on the date of
25 the transfer.

ASSEMBLY BILL 553**SECTION 55**

1 **SECTION 55.** 108.16 (8) (e) 4. of the statutes is created to read:

2 108.16 **(8)** (e) 4. The transferor transfers 100% of the transferor's total business
3 on the date of the transfer or the transferor's account was overdrawn on the date of
4 the transfer.

5 **SECTION 56.** 108.16 (8) (f) of the statutes is amended to read:

6 108.16 **(8)** (f) The successor shall take over and continue the transferor's
7 account, including its positive or negative balance and all other aspects of its
8 experience under this chapter, If the transfer included less than 100% of the
9 transferor's total assets on the date of the transfer, the department shall allocate the
10 transferor's experience to the successor in proportion to the payroll assignable to the
11 transferred business. ~~The~~ and the liability of the successor shall be proportioned to
12 the extent of the transferred business. The transferor and the successor shall be
13 jointly and severally liable for any amounts owed by the transferor to the fund and
14 to the administrative account at the time of the transfer, but a successor under par.
15 (c) is not liable for the debts of the transferor except in the case of fraud or
16 malfeasance.

17 **SECTION 57.** 108.16 (8) (L) of the statutes is created to read:

18 108.16 **(8)** (L) A professional employer organization is not considered to be the
19 successor to the employer account of its client under this section by virtue of engaging
20 the prior employees of the client to perform services for the client under an employee
21 leasing agreement.

22 **SECTION 58.** 108.17 (2) of the statutes is amended to read:

23 108.17 **(2)** Every employer that is subject to a contribution requirement shall
24 file quarterly reports of contributions required under this chapter with the
25 department, and pay contributions to the department, ~~for such periods and in such~~

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1 manner as the department prescribes. Each contribution report and payment is due
2 at the close of the month next following the end of the applicable reporting period
3 calendar quarter, except as authorized in sub. (2c) or as the department may assign
4 a later due date pursuant to sub. (1m) or general department rules.

5 **SECTION 59.** 108.17 (2c) of the statutes is created to read:

6 108.17 (2c) (a) Except as provided in pars. (d) and (e), an employer that has a
7 first quarter contribution liability of \$5,000 or more may defer payment to later due
8 dates beyond the due date established under sub. (1m) or (2) of not more than 60%
9 of its first quarter contribution liability, without payment of interest, as follows:

10 1. The employer shall pay at least 30% of the first quarter contribution liability
11 on or before July 31 of the year in which the liability accrues.

12 2. The employer shall pay at least an additional 20% of the first quarter
13 contribution liability on or before October 31 of the year in which the liability accrues.

14 3. The employer shall pay any remaining balance of the first quarter
15 contribution liability on or before January 31 of the year after the year in which the
16 liability accrues.

17 (b) An employer that elects to defer a payment under par. (a) may pay more than
18 the specified minimum deferred amount or all of the deferred amount at any time
19 before the due date under par. (a).

20 (c) If an employer fails to pay at least the specified minimum deferred amount
21 for the first quarter, together with the full amount of contributions payable for any
22 subsequent quarter, by a specified due date, then all unpaid contribution liability of
23 that employer for the first quarter is delinquent under s. 108.22 and interest thereon
24 is payable from April 30 of the year in which the liability accrues.

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1 (d) If an employer fails to pay at least 40% of its first quarter contribution
2 liability on or before April 30 of the year in which the liability accrues, the employer
3 is not permitted to defer the balance of the liability under this subsection.

4 (e) An employer is not permitted to defer its first quarter contribution liability
5 under this subsection for any year unless the employer pays all delinquent
6 contributions, together with any interest, penalties, and fees assessed under this
7 chapter, prior to April 30 of the year in which the liability accrues.

8 **SECTION 60.** 108.17 (2g) of the statutes is created to read:

9 108.17 **(2g)** An employer agent that files reports under sub. (2) on behalf of 25
10 or more employers shall file those reports using an electronic medium and format
11 approved by the department. An employer agent that becomes subject to the
12 reporting requirement under this subsection shall file its initial reports under this
13 subsection for the 4th quarter beginning after the quarter in which the employer
14 agent becomes subject to the reporting requirement. Once an employer agent
15 becomes subject to the reporting requirement under this subsection, the employer
16 agent shall continue to file its reports under this subsection unless that requirement
17 is waived by the department.

18 **SECTION 61.** 108.19 (1e) (a) and (d) of the statutes are amended to read:

19 108.19 **(1e)** (a) Except as provided in par. (b), each employer, other than an
20 employer ~~which~~ that finances benefits by reimbursement in lieu of contributions
21 under s. 108.15 ~~or~~, 108.151, or 108.152 shall, in addition to other contributions
22 payable under s. 108.18 and this section, pay an assessment to the administrative
23 account for each year prior to the year ~~2002~~ 2004 equal to the lesser of 0.01% of its
24 payroll for that year or the solvency contribution that would otherwise be payable
25 by the employer under s. 108.18 (9) for that year.

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1 (d) The department may expend the moneys received from assessments levied
2 under this subsection for the renovation and modernization of the unemployment
3 insurance information technology systems, including the tax and accounting system,
4 and specifically including development and implementation of a new system and
5 reengineering of automated processes and manual business functions.

6 **SECTION 62.** 108.19 (1m) of the statutes is amended to read:

7 108.19 (1m) Each employer subject to this chapter as of the date a rate is
8 established under this subsection shall pay an assessment to the administrative
9 account at a rate established by the department sufficient to pay interest due on
10 advances from the federal unemployment account under title XII of the social
11 security act (42 USC 1321 to 1324). The rate established by the department for
12 employers who finance benefits under s. 108.15 (2) ~~or~~, 108.151 (2), or 108.152 (1) shall
13 be 75% of the rate established for other employers. The amount of any employer's
14 assessment shall be the product of the rate established for that employer multiplied
15 by the employer's payroll of the previous calendar year as taken from quarterly
16 contribution reports filed by the employer or, in the absence of the filing of such
17 reports, estimates made by the department. Each assessment made under this
18 subsection is due on the 30th day commencing after the date on which notice of the
19 assessment is mailed by the department. If the amounts collected under this
20 subsection are in excess of the amounts needed to pay interest due, the amounts shall
21 be retained in the administrative account and utilized for the purposes specified in
22 s. 108.20 (2m).

23 **SECTION 63.** 108.20 (3) of the statutes is amended to read:

24 108.20 (3) There shall be included in the moneys governed by sub. (2m) any
25 amounts collected by the department under ss. 108.04 (11) (c) and (cm) and 108.22

ASSEMBLY BILL 553**SECTION 63**

1 (1) (a) ~~and~~, (ac), and (ad) as tardy filing fees, forfeitures, interest on delinquent
2 payments, or other penalties and any excess moneys collected under s. 108.19 (1m).

3 **SECTION 64.** 108.22 (1) (ad) of the statutes is created to read:

4 108.22 (1) (ad) An employer agent that is subject to the reporting requirements
5 under s. 108.17 (2g) and that fails to file a contribution report in accordance with s.
6 108.17 (2g) may be assessed a penalty by the department in the amount of \$25 for
7 each employer whose report is not filed using an electronic format and medium
8 approved by the department.

9 **SECTION 65.** 108.22 (1) (am) of the statutes is amended to read:

10 108.22 (1) (am) The interest, penalties, and the tardy filing fees levied under
11 ~~par.~~ pars. (a), (ac), and (ad) shall be paid to the department and credited to the
12 administrative account.

13 **SECTION 66.** 108.22 (1) (b) of the statutes is amended to read:

14 108.22 (1) (b) If the due date of a report or payment under s. 108.15 (5) (b),
15 108.151 (5) (f), 108.16 (8), 108.17 (2), or 108.205 would otherwise be a Saturday,
16 Sunday, or legal holiday under state or federal law, the due date is the next following
17 day which is not a Saturday, Sunday, or legal holiday under state or federal law.

18 **SECTION 67.** 108.22 (1) (e) of the statutes is amended to read:

19 108.22 (1) (e) Any notice filed under s. 108.15 (3) (a) or (b) ~~or~~, 108.151 (3) (a),
20 or 108.152 (2) (a) or assurance filed under s. 108.151 (2) (a) or (4) (a) 2. is timely if
21 it is received by the department by December 31 or, if mailed, is either postmarked
22 no later than that due date or is received by the department no later than 3 days after
23 that due date.

24 **SECTION 68.** 108.22 (1m) of the statutes is amended to read:

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1 108.22 **(1m)** If an employer owes any contributions, reimbursements under s.
2 108.15 or 108.151, interest or, fees, or payments for forfeitures or other penalties to
3 the department under this chapter and fails to pay the amount owed, the department
4 has a perfected lien upon the employer's right, title, and interest in all of its real and
5 personal property located in this state in the amount finally determined to be owed,
6 plus costs. Except where creation of a lien is barred or stayed by bankruptcy or other
7 insolvency law, the lien is effective when the department issues a determination of
8 the amount owed under s. 108.10 (1) and shall continue until the amount owed, plus
9 costs and interest to the date of payment, is paid. If a lien is initially barred or stayed
10 by bankruptcy or other insolvency law, it shall become effective immediately upon
11 expiration or removal of such bar or stay. The perfected lien does not give the
12 department priority over lienholders, mortgagees, purchasers for value, judgment
13 creditors, and pledges whose interests have been recorded before the department's
14 lien is recorded.

15 **SECTION 69.** 108.225 (1) (a) to (c) of the statutes are amended to read:

16 108.225 **(1)** (a) ~~“Contributions” include~~ “Contribution” includes a
17 reimbursement under s. 108.15, 108.151, or 108.152, interest for a nontimely
18 payment, fees, and any penalties payment due for a forfeiture imposed upon an
19 employing unit under s. 108.04 (11) (c) or other penalty assessed by the department
20 under this chapter.

21 (b) “Debt” means a delinquent contribution or repayment of a benefit
22 overpayment, or any liability of a 3rd party for failure to surrender to the department
23 property or rights to property subject to levy after proceedings under sub. (4) (b) and
24 s. 108.10 to determine that liability.

ASSEMBLY BILL 553**SECTION 69**

1 (c) “Debtor” means a person who owes the department ~~delinquent contributions~~
2 ~~or a benefit overpayment~~ a debt.

3 **SECTION 70.** 108.225 (16) (intro.) of the statutes is amended to read:

4 108.225 **(16)** WAGES EXEMPT FROM LEVY. (intro.) In the case of benefit
5 overpayments, ~~the~~ and forfeitures imposed upon an employing unit under s. 108.04
6 (11) (c), an individual debtor is entitled to an exemption from levy of the greater of
7 the following:

8 **SECTION 71.** 230.12 (1) (g) of the statutes is created to read:

9 230.12 **(1) (g)** *Temporary reserve appeal tribunal.* The compensation plan shall
10 include a provision authorizing the department of workforce development to pay any
11 individual who was previously employed by the department of workforce
12 development and who is appointed to limited term employment as a temporary
13 reserve appeal tribunal under s. 108.09 (3) (a) 2. not more than the base pay rate that
14 the individual was paid at the time of his or her separation from the department of
15 workforce development, plus any across-the-board and discretionary intervening
16 adjustments that were made under the compensation plan or applicable collective
17 bargaining agreement to the base pay rate for the position that was previously filled
18 by the individual during the time between the individual’s separation from the
19 department of workforce development and the individual’s appointment as a
20 temporary reserve tribunal. For the purpose of calculating the amount of any
21 discretionary intervening adjustment, the amount shall be limited to the amount
22 that would have been generated by the employee.

23 **SECTION 72. Nonstatutory provisions.**

24 (1) OFFSET OF SOCIAL SECURITY BENEFITS.

25 (a) In this SECTION:

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1 1. “Base period wages” has the meaning given in section 108.02 (4m) of the
2 statutes.

3 2. “Employer” has the meaning given in section 108.02 (13) of the statutes.

4 (b) Notwithstanding section 108.04 (7), 1999 stats., for each week of
5 unemployment beginning in 2002, if a claimant receives a payment under the federal
6 Social Security Act (42 USC 301, et seq.) that is contributed to by an employer from
7 which the claimant has base period wages, the reduction that applies to the benefits
8 payable to the claimant for that week is 50% of the amount that would otherwise
9 apply for that week under section 108.04 (7), 1999 stats.

10 (2) RULE MAKING.

11 (a) The department of workforce development shall submit in proposed form
12 rule changes to the legislative council staff under section 227.15 (1) of the statutes
13 no later than the first day of the 11th month beginning after the effective date of this
14 paragraph:

15 1. To amend section DWD 100.02 (28), Wisconsin Administrative Code, for the
16 purpose of decreasing the number of hours per week, for work to be considered full
17 time, to 32.

18 2. To establish a specified level of repeated absenteeism or repeated tardiness
19 that constitutes misconduct for purposes of section 108.04 (5) of the statutes.

20 3. To specify, in accordance with applicable administrative and judicial
21 interpretations, what constitutes an “establishment” for purposes of the
22 disqualification from receipt of unemployment insurance benefits because of a labor
23 dispute in an establishment in which an employee is or was employed under section
24 108.04 (10) of the statutes.

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1 (b) The department of workforce development shall promulgate an emergency
2 rule under section 227.24 of the statutes to amend section DWD 129.01 (1), Wisconsin
3 Administrative Code, for the purpose of extending the deadline for filing an initial
4 claim for unemployment insurance benefits by 7 days. Notwithstanding section
5 227.24 (1) (c) and (2) of the statutes, the emergency rule may remain in effect until
6 the first day of the 11th month beginning after the effective date of this paragraph
7 or until the date on which a permanent rule relating to the same subject matter takes
8 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
9 statutes, the department is not required to provide evidence that promulgating a rule
10 under this paragraph as an emergency rule is necessary for the preservation of the
11 public peace, health, safety, or welfare and is not required to provide a finding of
12 emergency for a rule promulgated under this paragraph.

13 (3) INITIAL ELECTION OF REIMBURSEMENT FINANCING BY INDIAN TRIBES AND TRIBAL
14 UNITS. Notwithstanding section 108.152 (1) (a) of the statutes, as created by this act,
15 an Indian tribe or tribal unit may file a written notice of election of reimbursement
16 financing for unemployment insurance benefits under that paragraph for the 2002
17 calendar year no later than March 31, 2002.

18 (4) INITIAL REPORTS BY PROFESSIONAL EMPLOYER ORGANIZATIONS. Notwithstanding
19 section 108.067 (1) of the statutes, as created by this act, each professional employer
20 organization that has entered into an employee leasing agreement with any client
21 that is in effect on March 31, 2002, shall disclose in its initial report under section
22 108.067 (1) of the statutes, as created by this act, the identity of each client with
23 whom the organization has an employee leasing agreement on that date.

24 (5) DEFERRAL OF FIRST QUARTER CONTRIBUTION LIABILITY. Notwithstanding
25 section 74 (9) of this act, if the secretary of workforce development determines that

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1 the necessary programming enhancements for the unemployment insurance tax and
2 accounting system have not been completed in time to permit implementation of the
3 treatment of sections 108.17 (2) and (2c) and 108.22 (1) (b) of the statutes by this act
4 with respect to contributions payable for the first quarter of the 2003 calendar year,
5 the secretary may order implementation of that treatment to occur with respect to
6 contributions payable for the first quarter of the 2004 calendar year.

7 (6) CLAIMANT ELIGIBILITY REVIEWS. The department of workforce development
8 shall, through reallocation of existing resources of the department, conduct review
9 of claimants for unemployment compensation benefits in the 2001–03 fiscal
10 biennium to verify adherence to work search requirements and other conditions of
11 eligibility.

12 (7) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
13 of workforce development are increased by 15.0 FED positions for the period ending
14 on June 30, 2004, to be funded from the appropriation under section 20.445 (1) (n)
15 of the statutes, for the purpose of assisting with unemployment insurance
16 information technology projects.

SECTION 73. Appropriation changes.

17
18 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
19 to the department of workforce development under section 20.445 (1) (gf) of the
20 statutes, as affected by the acts of 2001, the dollar amount is increased by \$250,000
21 for fiscal year 2001–02 to pay employment service costs for which federal aid was
22 disallowed.

SECTION 74. Initial applicability.

23
24 (1) The treatment of sections 108.02 (10m), (13) (a), (15) (f) (intro.), (g) (intro.),
25 (gm), and (n), (17m), and (22m), 108.04 (13) (d) 4. (intro.) and (17) (b) and (h), 108.141

ASSEMBLY BILL 553**SECTION 74**

1 (7) (c), 108.152, 108.16 (6) (g), (6m) (a) and (8) (b) 3, (c) 3., and (e) 3., 108.19 (1e) (a)
2 (with respect to reimbursement financing by Indian tribes and tribal units) and (1m),
3 and 108.22 (1) (e) of the statutes first applies with respect to employment after
4 December 31, 2001.

5 (2) The treatment of sections 108.02 (12m) (intro.), (a), (b), (c), (d), and (e), (21e),
6 and (29), 108.065 (1) and (1m), and 108.16 (8) (L) of the statutes first applies with
7 respect to determinations issued under sections 108.09 and 108.10 of the statutes in
8 the first week beginning in January 2002 or, in relation to determinations that are
9 appealed, to decisions issued under sections 108.09 and 108.10 of the statutes in the
10 first week beginning in January 2002.

11 (3) The treatment of section 108.02 (15) (j) 4., 5., and 6. of the statutes first
12 applies to services performed after December 31, 1998.

13 (4) The treatment of section 108.02 (15) (k) 18. c., 19. b., and 20., (20g), (21c),
14 and (23g) of the statutes first applies to with respect to employment after December
15 31, 2001.

16 (5) The treatment of section 108.04 (7) (h) and (8) (c) of the statutes first applies
17 with respect to determinations issued under section 108.09 or 108.10 of the statutes
18 on December 30, 2001.

19 (6) The treatment of section 108.05 (7) (a) 1. and (f) 1. of the statutes first
20 applies to weeks of unemployment beginning on January 5, 2003.

21 (7) The treatment of sections 108.17 (2g), 108.20 (3), and 108.22 (1) (ad) and
22 (am) of the statutes first applies with respect to reports due for the reporting period
23 or calendar quarter that includes March 31, 2003.

24 (8) The treatment of section 108.16 (8) (b) (intro.) and 2., (c) 4., (e) 4., and (f) first
25 applies to partial transfers of businesses occurring after December 31, 2001, and to

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1 transfers of businesses of which the department of workforce development receives
2 notice after January 31, 2002.

3 (9) The treatment of sections 108.17 (2) and (2c) and 108.22 (1) (b) of the
4 statutes first applies with respect to contributions payable for the first quarter of the
5 2003 calendar year.

6 (10) The treatment of section 108.22 (1m) of the statutes first applies with
7 respect to liabilities that accrue on the effective date of this subsection.

8 (11) The treatment of section 108.225 (1) (a) to (c) and (16) (intro.) of the statutes
9 first applies with respect to determinations issued under section 108.10 of the
10 statutes on the effective date of this subsection.

11 **SECTION 75. Effective dates.** This act takes effect on the first Sunday after
12 publication, except as follows:

13 (1) The treatment of section 108.067 (1) of the statutes takes effect on April 1,
14 2002.

15 (2) The treatment of section 108.067 (2) of the statutes takes effect on January
16 1, 2002.

17 (END)