

SENATE BILL 147 (LRB -2298)

An Act to amend 108.141 (1) (e) and 108.141 (1) (f) 3. b.; and to create 108.141 (1) (f) 4. of the statutes; relating to: payment of extended unemployment insurance benefits during certain periods in this state. (FE)

2011

07-07. S. Introduced by Senators **Wanggaard, Kapanke, Ellis, Schultz, Darling, Cowles** and **S. Fitzgerald**; cosponsored by Representatives **Ballweg** and **Endsley**.

07-07. S. Read first time and referred to committee on Labor, Public Safety, and Urban Affairs 376

07-11. S. Public hearing held.

07-11. S. Executive action taken.

07-11. S. Report passage recommended by committee on Labor, Public Safety, and Urban Affairs, Ayes 5, Noes 0 .. 379

07-11. S. Available for scheduling.

07-12. S. Fiscal estimate received.

07-18. S. Senate amendment 1 offered by Senator Wanggaard (**LRB a1398**) 384

07-18. S. Placed on calendar 7-19-2011 pursuant to Senate Rule 18(1) 0

07-19. S. Read a second time 388

07-19. S. **Senate amendment 1 adopted** 388

07-19. S. Senator Carpenter added as a coauthor 387

07-19. S. Senate amendment 2 offered by Senators Wirch, Hansen, Holperin, Carpenter, S. Coggs, T. Cullen, C. Larson, Vinehout, Taylor, Erpenbach, Jauch, Lassa, Miller and Risser (**LRB a1412**) 388

07-19. S. **Senate amendment 2 adopted** 388

07-19. S. Ordered to a third reading 388

07-19. S. Rules suspended 388

07-19. S. Read a third time and **passed**, Ayes 30, Noes 3 388

07-19. S. Ordered immediately messaged 389

07-19. A. Received from Senate 446

07-19. A. Read first time and referred to calendar of 7-20-2011 pursuant to Assembly Rule 93 446

07-20. A. Read a second time 456

07-20. A. Assembly amendment 1 offered by Representative Ballweg (**LRB a1431**) 456

07-20. A. Refused to table Assembly amendment 1, Ayes 39, Noes 58 456

07-20. A. Refused to reject Assembly amendment 1, Ayes 40, Noes 57 456

07-20. A. **Assembly amendment 1 adopted**, Ayes 58, Noes 39 456

07-20. A. Ordered to a third reading 456

07-20. A. Rules suspended 456

07-20. A. Read a third time and **concurred in** as amended, Ayes 81, Noes 16 456

07-20. A. Ordered immediately messaged 457

07-21. S. Received from Assembly amended and concurred in as amended, Assembly amendment 1 adopted 394

07-21. S. Available for scheduling.

07-29. S. Placed on calendar 8-1-2011 pursuant to Senate Rule 18(1) 402

08-01. S. Assembly amendment 1 **concurred in**, Ayes 19, Noes 14.

08-01. S. Action ordered immediately messaged.

SB

**2011
ENROLLED BILL**

11en S B-147

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11-2298/2

Amendments to above (if none, write "NONE"): SA1 - a 1398/1

SA2 - a 1412/1

AA1 - a 1431/1

Corrections - show date (if none, write "NONE"): NONE ccc

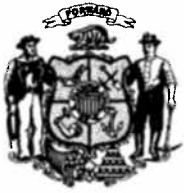
Topic Rel

8-1-11

Date

JR Miller

Enrolling Drafter



State of Wisconsin
2011-2012 LEGISLATURE

CORRECTIONS IN:

2011 SENATE BILL 147

Prepared by the Legislative Reference Bureau
(August 2, 2011)

In enrolling, the following correction was made:

Item 3 of senate amendment 2 was not given effect because item 1 of senate amendment 1 deleted that material.

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2298/2
JTK:cjs:md

2011 SENATE BILL 147

July 7, 2011 - Introduced by Senators WANGGAARD, KAPANKE, ELLIS, SCHULTZ, DARLING, COWLES and S. FITZGERALD, cosponsored by Representatives BALLWEG and ENDSLEY. Referred to Committee on Labor, Public Safety, and Urban Affairs.

1 **AN ACT to amend** 108.141 (1) (e) and 108.141 (1) (f) 3. b.; and **to create** 108.141
2 (1) (f) 4. of the statutes; **relating to:** payment of extended unemployment
3 insurance benefits during certain periods in this state.

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, is 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 the method is permitted under federal law and 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

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120 percent of the average of such rates for 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 the bill, if this state begins or extends an extended benefit period as a result of this "on" indicator, extended benefits are payable retroactively to qualifying claimants with respect to weeks of unemployment beginning on or after December 17, 2010.

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

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

1 **SECTION 1.** 108.141 (1) (e) of the statutes is amended to read:

2 108.141 (1) (e) ~~There~~ Except with respect to any week described in par. (f) 4.,
3 there is a Wisconsin "off" indicator for a week if, for the period consisting of that week
4 and the immediately preceding 12 weeks, there is not a Wisconsin "on" indicator.

5 **SECTION 2.** 108.141 (1) (f) 3. b. of the statutes is amended to read:

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

12 **SECTION 3.** 108.141 (1) (f) 4. of the statutes is created to read:

13 108.141 (1) (f) 4. With respect to weeks of unemployment beginning on or after
14 the date of enactment of P.L. 111-312 and ending on or before the earlier of the latest
15 date permitted under federal law or the end of the 4th week prior to the last week

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1 in which federal sharing is provided as authorized by section 2005 (a) of P.L. 111-5
2 and any amendments to such federal laws;

3 a. The rate of insured unemployment for the period consisting of that week and
4 the immediately preceding 12 weeks equaled or exceeded 120 percent of the average
5 of such rates for the corresponding 13-week periods ending in each of the preceding
6 3 calendar years, and equaled or exceeded 5 percent; or

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

12 **SECTION 4. Initial applicability.**

13 (1) This act first applies retroactively with respect to weeks of unemployment
14 beginning on or after December 17, 2010.

15 (END)



State of Wisconsin
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LRBa1398/1
JTK:jld:rs

**SENATE AMENDMENT 1,
TO 2011 SENATE BILL 147**

July 18, 2011 – Offered by Senator WANGGAARD.

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

2 1. Page 2, line 1: delete lines 1 to 4.

3  (END)



**SENATE AMENDMENT 2,
TO 2011 SENATE BILL 147**

July 19, 2011 – Offered by Senators WIRCH, HANSEN, HOLPERIN, CARPENTER, S. COGGS, T. CULLEN, C. LARSON, VINEHOUT, TAYLOR, ERPENBACH, JAUCH, LASSA, MILLER and RISSER.

*Editor: items #1 and #2
deleted by A.A. 1*

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

2 1. Page 1, line 3: after “state” insert “and deletion of the waiting period for
3 unemployment insurance claimants”.

4 2. Page 2, line 1: before that line insert:

5 “SECTION 1e. 108.02 (26m) of the statutes, as created by 2011 Wisconsin Act
6 32, is repealed.

7 SECTION 1m. 108.04 (3) of the statutes, as created by 2011 Wisconsin Act 32,
8 is repealed.”

9 3. Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1s”.

10 (END)

*Editor #3 Not given effect
due to deletion in SA1-1*

SA2-3



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LRBa1431/1
JTK:kjf:ph

ASSEMBLY AMENDMENT 1,
TO 2011 SENATE BILL 147

July 20, 2011 - Offered by Representative BALLWEG.

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

2 1. Page 1, line 3: after "state" delete "and deletion of the waiting period for
3 unemployment insurance claimants" as inserted by senate amendment 2.

4 2. Page 2, line 1: before that line, delete the material inserted by senate
5 amendment 2.

6 (END)

*Editor - deletes material
inserted by SA2-1 & SA2-2*