



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2011 Senate Bill 147	Senate Amendments 1 and 2, and Assembly Amendment 1
<i>Memo published: August 1, 2011</i>	<i>Contact: Margit Kelley, Staff Attorney (266-9280)</i>

2011 Senate Bill 147 relates to the payment of extended unemployment insurance benefits during certain periods in this state, as approved by the Unemployment Insurance Advisory Council on June 23, 2011.

2011 SENATE BILL 147

2011 Senate Bill 147 creates a new temporary mechanism for determining when Wisconsin is eligible for a period of extended unemployment benefits, as authorized by federal law. A change in federal law has authorized each state to modify its laws to temporarily look back three years, rather than two, in comparing the current unemployment rates to the corresponding period in preceding years to determine whether there has been an “on” or “off” indicator for an extended benefits period. The bill conforms Wisconsin law to this authorization.

Under current law, with a two-year look-back comparison of unemployment rates, the extended benefits period in Wisconsin ended on April 16, 2011. Under the bill, for as long as the unemployment rates qualify for an “on” indicator using the three-year look-back comparison, the extended benefits period is available from December 17, 2010, through January 4, 2012, for eligible Wisconsin workers. This allows up to 13 weeks of extended benefits for an eligible worker who has exhausted the regular and emergency unemployment compensation benefits.

SENATE AMENDMENT 1

Senate Amendment 1 to Senate Bill 147 maintains the provisions of the bill, but removes the language that allows an “off” indicator for the extended benefits period only if there has been no “off” indicator in each of the preceding 12 weeks.

This language had been suggested by the Employment and Training Administration Advisory System of the U.S. Department of Labor in Advisory Letter No. 04-10, dated December 23, 2010, in order to avoid a gap in extended benefit eligibility for the state. However, other provisions of the bill are explicit in its retroactive applicability to December 17, 2010, and the modified mechanism for an “on” indicator for the extended benefits period is applicable under the bill from that date.

Wisconsin meets the modified mechanism for an “on” indicator for all weeks since April 16, 2011, to date, and would not have a gap in eligibility for extended benefits during this period under the other provisions of the bill.

The language removed by the amendment would have maintained an “on” indicator for any future 13-week period in which only one week had an “off” indicator.

SENATE AMENDMENT 2

Senate Amendment 2 to Senate Bill 147 eliminates the one-week waiting period for receiving unemployment insurance benefits created in 2011 Wisconsin Act 32, the 2011-13 Biennial Budget Bill.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 to Senate Bill 147 removes the provisions of Senate Amendment 2 and leaves the one-week waiting period created in the Biennial Budget Bill unaffected.

LEGISLATIVE HISTORY

On July 11, 2011, the Senate Committee on Labor, Public Safety, and Urban Affairs recommended passage of the bill on a vote of Ayes, 5; Noes, 0.

Senate Amendment 1 was offered by Senator Wanggaard on July 18, 2011. Senate Amendment 2 was offered by Senator Wirch and others on July 19, 2011.

On July 19, 2011, the Senate adopted both Senate amendments on a voice vote and passed the bill, as amended, on a vote of Ayes, 30; Noes, 3.

Assembly Amendment 1 was offered by Representative Ballweg on July 20, 2011.

On July 20, 2011, the Assembly adopted Assembly Amendment 1 on a vote of Ayes, 58; Noes, 39, and concurred in the bill, as amended, on a vote of Ayes, 81; Noes, 16.

On August 2, 2011, the Senate concurred in Assembly Amendment 1 on a vote of Ayes, 19; Noes, 14.

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