

2019 DRAFTING REQUEST**Bill**

For: **Legislative Fiscal Bureau** Drafter: **mduchek**
 By: **Ryan Horton** Secondary Drafters:
 Date: **4/1/2020** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **ryan.horton@legis.wisconsin.gov**
 Carbon copy (CC) to: **al.runde@legis.wisconsin.gov**
Becky.hannah@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

UI waiting week - Pg. 28, DWD, Item 1, but only for calendar year 2020

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/1/2020				
/P1		csicilia 4/1/2020			State S&L
/1	mduchek 4/2/2020		mbarman 4/1/2020		State S&L
/2	mduchek 4/3/2020	swinder 4/2/2020	lparisi 4/2/2020		State S&L
/3	mduchek	swinder	anienaja		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	4/10/2020	4/3/2020	4/3/2020		S&L
/4	mduchek 4/10/2020	anienaja 4/10/2020	wjackson 4/10/2020		State S&L

FE Sent For:

<END>

Barman, Mike

From: Hanaman, Cathlene
Sent: Wednesday, April 01, 2020 11:20 AM
To: Champagne, Rick; Lunder, Erika; Wheeler, Elizabeth; Knepp, Fern; Gallagher, Michael; Dodge, Tamara; Walkenhorst Barber, Sarah; Paczuski, Konrad; McGreevy, Mary Alice; Shovers, Marc; Pleviak, Krista; Gary, Aaron; Kreye, Joseph; Pfothenauer, Mary; Duchek, Michael; Shea, Elisabeth; Wyatt, Zachary; Johns, Melinda
Cc: Jackson, Wendy
Subject: RE: More LFB Requests

Please, in addition to anything else you put in the topic line, include the language below ("Pg. 5, DOA, item 6" for instance).

You may have to make an educated guess as to the analyst. I can fix later.

Using the LFB Summary of the Governor's bill, please draft the following items for the LFB:

http://docs.legis.wisconsin.gov/misc/lfb/misc/109_summary_of_provisions_of_lrb_5904_1_and_lrb_5920_p2_3_24_20.pdf

Pg. 5, DOA, Item 6

Pg. 6, DOA, Item 9

Pg. 6 BLDG COMM, Item 1 (RAC)

Pg. 11, ETF, Item 1

Pg. 12, ETF, Item 2

Pg. 13, GEN PROV, Item 2

Pg. 16, HEALTH, Item 4

Pg. 18, INS, Item 2

Pg. 19, INS, Item 5

Pg. 19, INS, Item 6

Pg. 22, DPI, Item 3

Pg. 24, DSPS, Item 2

Pg. 25, DSPS, Item 3

Pg. 26, DSPS, Item 4

Pg. 28, DWD, Item 1, but only for calendar year 2020

Pg. 29, DWD, Item 2

Cathlene can coordinate and make sure drafts are accounted for.

Rick



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6066/1
MED:cjs

2019 BILL

1 **AN ACT** *to renumber and amend* 108.04 (3); and *to create* 108.04 (3) (b) of the
2 statutes; **relating to:** suspension of the waiting period for collection of
3 unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Unemployment insurance; waiting period

Currently, a claimant must wait one week after becoming eligible to receive unemployment insurance benefits before the claimant may receive benefits for a week of unemployment. The waiting period does not affect the maximum number of weeks of a claimant's benefit eligibility.

This bill suspends the application of the one-week waiting period for benefit years that began on or after January 5, 2020, and before January 4, 2021.

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:

4 **SECTION 1.** 108.04 (3) of the statutes is renumbered 108.04 (3) (a) and amended
5 to read:

Barman, Mike

From: Horton, Ryan
Sent: Thursday, April 02, 2020 3:26 PM
To: Duchek, Michael
Subject: RE: Change to 6066/1

March 21st would be the last day of UI Week No. 12. The agreement was signed on March 28th (the final day of UI Week No. 13) so I'm assuming that all benefits paid out for the waiting week would get reimbursed by the feds for UI Week No. 13, but not UI Week No. 12, based on when the agreement was signed? It's just a guess since we have no guidance from the feds.

Calendar here:

<https://dwd.wisconsin.gov/uiben/calendars.htm>

From: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Sent: Thursday, April 02, 2020 3:16 PM
To: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Subject: RE: Change to 6066/1

What is the significance of March 21?

From: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Sent: Thursday, April 02, 2020 3:05 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Ferguson, Paul <Paul.Ferguson@legis.wisconsin.gov>
Subject: Change to 6066/1

Mike,

Could you please replace the text on lines 5 and 6 with the following text:

"Paragraph (a) does not apply with respect to benefit years that begin on or after March 12, 2020, so as to apply to the public health emergency declared on March 12, 2020, by executive order 72, and before January 3, 2020."

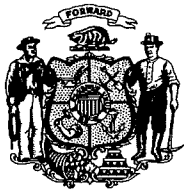
NOTE: Mike - I think this works. However, the only issue with this is how USDOL interprets the CARES Act language in this section of the bill. Sec. Frostman signed the required agreement with USDOL on 3/28/2020. A strict interpretation of the CARES Act by USDOL could disqualify WI from taping into federal waiting week reimbursement \$ for the first few days (March 12-March 21). But, I do think that this is the correct way to draft this provision....we really don't have any other choice if we want to include that initial flood of claimants that filed starting already on the 12th.

CARES Act applicability language:

21 (c) APPLICABILITY.—An agreement entered into
22 under this section shall apply to weeks of unemployment—

23 (1) beginning after the date on which such
24 agreement is entered into; and

25 (2) ending on or before December 31, 2020.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6066/2
MED:cjs&skw

2019 BILL

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2 statutes; **relating to:** suspension of the waiting period for collection of
3 unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Unemployment insurance; waiting period

Currently, a claimant must wait one week after becoming eligible to receive unemployment insurance benefits before the claimant may receive benefits for a week of unemployment. The waiting period does not affect the maximum number of weeks of a claimant's benefit eligibility.

This bill suspends the application of the one-week waiting period for benefit years that began on or after March 12, 2020, and before January 3, 2021.

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:

4 **SECTION 1.** 108.04 (3) of the statutes is renumbered 108.04 (3) (a) and amended
5 to read:

Barman, Mike

From: Duchek, Michael
Sent: Friday, April 03, 2020 4:44 PM
To: Horton, Ryan
Subject: RE: please add something like this to 6066/2

Will this work: "The department shall seek the maximum amount of federal reimbursement for benefits that are, during the time period specified in this paragraph, payable for the first week of a claimant's benefit year as a result of the application of this paragraph."

From: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Sent: Friday, April 03, 2020 4:38 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Ferguson, Paul <Paul.Ferguson@legis.wisconsin.gov>
Subject: please add something like this to 6066/2

Require the DWD secretary to seek the maximum amount of federal reimbursement for benefits provided during the time period specified under (b).

Thank you!!

Ryan Horton, Fiscal Analyst
Legislative Fiscal Bureau
One East Main St., Suite 301
Madison, WI 53703
(608) 266-3847



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6066/3
MED:cjs&skw

2019 BILL

1 **AN ACT** *to renumber and amend* 108.04 (3); and *to create* 108.04 (3) (b) of the
2 statutes; **relating to:** suspension of the waiting period for collection of
3 unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Unemployment insurance; waiting period

Currently, a claimant must wait one week after becoming eligible to receive unemployment insurance benefits before the claimant may receive benefits for a week of unemployment. The waiting period does not affect the maximum number of weeks of a claimant's benefit eligibility.

This bill suspends the application of the one-week waiting period for benefit years that began on or after March 12, 2020, and before January 3, 2021. The bill requires the Department of Workforce Development to seek the maximum amount of federal reimbursement for benefits that are, during this time period, payable for the first week of a claimant's benefit year as a result of the suspension.

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:

Parisi, Lori

From: Horton, Ryan
Sent: Friday, April 10, 2020 2:07 PM
To: Duchek, Michael
Subject: RE: I'll have a small drafting request

But that says "before" just prior to the date.

Maybe say "and on and before January 31, 2020"

Call me.... 608-334-1230

From: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Sent: Friday, April 10, 2020 2:02 PM
To: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Subject: RE: I'll have a small drafting request

Change the date on p. 2, line 9 you mean?

From: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Sent: Friday, April 10, 2020 1:59 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Ferguson, Paul <Paul.Ferguson@legis.wisconsin.gov>
Subject: RE: I'll have a small drafting request

Can you change the end date in LRB-6066/3.

They want to extend it through January 31, 2021. Not sure exactly how to draft that....

From: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Sent: Friday, April 10, 2020 1:24 PM
To: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Subject: RE: I'll have a small drafting request

OK? Standing by

From: Horton, Ryan <Ryan.Horton@legis.wisconsin.gov>
Sent: Friday, April 10, 2020 1:23 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: I'll have a small drafting request

For you in a bit. Just an FYI. It will need a quick turnaround.

Ryan Horton, Fiscal Analyst
Legislative Fiscal Bureau
One East Main St., Suite 301
Madison, WI 53703
(608) 266-3847



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6066/4
MED:cjs/skw/amn

2019 BILL

1 **AN ACT** *to renumber and amend* 108.04 (3); and *to create* 108.04 (3) (b) of the
2 statutes; **relating to:** suspension of the waiting period for collection of
3 unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Unemployment insurance; waiting period

Currently, a claimant must wait one week after becoming eligible to receive unemployment insurance benefits before the claimant may receive benefits for a week of unemployment. The waiting period does not affect the maximum number of weeks of a claimant's benefit eligibility.

This bill suspends the application of the one-week waiting period for benefit years that began after March 12, 2020, and before February 7, 2021. The bill requires the Department of Workforce Development to seek the maximum amount of federal reimbursement for benefits that are, during this time period, payable for the first week of a claimant's benefit year as a result of the suspension.

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:

