

3928

2011-2012 Regular Sessions

I N   S E N A T E

March 10, 2011

---

Introduced by Sen. ROBACH -- (at request of the Governor) -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Labor

AN ACT to amend the labor law, in relation to unemployment insurance  
extended benefits

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (a) of subdivision 1 of section 601 of the labor  
2 law is amended by adding a new subparagraph 5 to read as follows:  
3     (5) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPHS ONE AND TWO OF  
4 THIS PARAGRAPH, WITH RESPECT TO COMPENSATION FOR WEEKS OF UNEMPLOYMENT  
5 BEGINNING AFTER JANUARY THIRTY-FIRST, TWO THOUSAND ELEVEN, AND ENDING ON  
6 OR BEFORE THE EXPIRATION DATES SET FORTH IN PUBLIC LAW 111-312:  
7     THERE SHALL BE A "STATE 'ON' INDICATOR" FOR A WEEK IF, AS DETERMINED  
8 BY THE COMMISSIONER IN ACCORDANCE WITH THE REGULATIONS OF THE SECRETARY  
9 OF LABOR OF THE UNITED STATES, THE RATE OF INSURED UNEMPLOYMENT FOR THE  
10 PERIOD CONSISTING OF SUCH WEEK AND THE PRECEDING TWELVE WEEKS  
11     (I) EQUALED OR EXCEEDED FIVE PERCENTUM AND  
12     (II) EQUALED OR EXCEEDED ONE HUNDRED TWENTY PER CENTUM OF THE AVERAGE  
13 OF SUCH RATES FOR THE CORRESPONDING THIRTEEN-WEEK PERIODS ENDING IN EACH  
14 OF THE PRECEDING THREE CALENDAR YEARS; OR  
15     (III) FOR WEEKS OF UNEMPLOYMENT BEGINNING ON OR AFTER FEBRUARY FIRST,  
16 TWO THOUSAND NINE UNTIL THE WEEK ENDING THREE WEEKS PRIOR TO THE LAST  
17 WEEK FOR WHICH ONE HUNDRED PERCENT FEDERAL SHARING IS AUTHORIZED BY  
18 SECTION 2005(A) OF PUBLIC LAW 111-5, OR FOR WEEKS OF UNEMPLOYMENT ENDING  
19 THREE WEEKS PRIOR TO THE LAST WEEK FOR WHICH CONGRESS, PURSUANT TO ANY  
20 FUTURE AMENDMENT OF THE FEDERAL STATE EXTENDED COMPENSATION ACT OF 1970,  
21 HAS AUTHORIZED ONE HUNDRED PERCENT FEDERAL SHARING, WHICH MEET THE  
22 FOLLOWING:  
23     (A) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT (SEASONABLY ADJUSTED), AS  
24 DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE PERIOD

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD12009-02-1

1 CONSISTING OF THE MOST RECENT THREE MONTHS FOR WHICH DATA FOR ALL STATES  
2 ARE PUBLISHED BEFORE THE CLOSE OF SUCH WEEK EQUALS OR EXCEEDS SIX AND  
3 ONE-HALF PERCENT, AND  
4 (B) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT IN THE STATE (SEASONABLY  
5 ADJUSTED), AS DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR  
6 THE THREE-MONTH PERIOD REFERRED TO IN ITEM (A) OF THIS CLAUSE, EQUALS OR  
7 EXCEEDS ONE HUNDRED TEN PERCENT OF THE AVERAGE FOR ANY OR ALL OF THE  
8 CORRESPONDING THREE-MONTHS PERIODS ENDING IN THE THREE PRECEDING CALEN-  
9 DAR YEARS.  
10 S 2. This act shall take effect immediately and shall be deemed to  
11 have been in full force and effect on and after February 1, 2011.