



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 167

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

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H167-ABL-3 [v.3]

Comm. Sub. [NO]
Amends Title [YES]
Third Edition

Date 4/14, 2011

*Ruled out of order
not germane*

Representative Wainwright

1 moves to amend the bill on page 1 line 2, by adding the following at the beginning of line 2 by
2 adding the following to the title:
3

4 "AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA
5 TO IMPLEMENT THE THREE-YEAR LOOK BACK PERIOD FOR FEDERALLY
6 FUNDED EXTENDED UNEMPLOYMENT BENEFITS AS AUTHORIZED BY
7 SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE
8 REAUTHORIZATION, AND JOB CREATION ACT OF 2010, PUBLIC LAW 111-312,
9 WITH THE AMENDMENTS EXPIRING JANUARY 1, 2012; AND IN ADDITION,";

10 and further moves to amend the bill on page 1 immediately above and before Section 1, by
11 inserting the following new section:
12

13
14 "SECTION 1.A.(a). G.S. 96-12.01(a1)(4)c. is amended by adding a new sub-
15 sub-subdivision to read:

16 '3. This section applies as provided under the Tax Relief,
17 Unemployment Insurance Reauthorization, and Job Creation
18 Act of 2010 (P.L. 111-312) as it existed on December 17,
19 2010, and is applicable to compensation for weeks of
20 unemployment beginning after December 17, 2010, and
21 ending on or before December 31, 2011, provided that:

22 I. The average rate of (i) insured unemployment, not
23 seasonally adjusted, equaled or exceeded one hundred
24 twenty percent (120%) of the average of such rates for
25 the corresponding 13-week period ending in all of the
26 preceding three calendar years and equaled or
27 exceeded five percent (5%) or (ii) total
28 unemployment, seasonally adjusted, as determined by
29 the United States Secretary of Labor, for the period
30 consisting of the most recent three months for which
31 data for all states are published before the close of the
32 week equals or exceeds six and one-half percent
33 (6.5%); and



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II. The average rate of total unemployment in this State, seasonally adjusted, as determined by the United States Secretary of Labor, for the three-month period referred to in this subsection, equals or exceeds one hundred ten percent (110%) of the average for any of the corresponding three-month periods ending in the three preceding calendar years.'

SECTION 1.A.(b). G.S. 96-12.01 (a1)(4)e. reads as rewritten:

(4) There is an "on indicator" for this State for a week if the Commission determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of such week and the immediate preceding 12 weeks, the rate of insured unemployment (not seasonally adjusted) under this Chapter:

...

e. Total extended benefit amount.

1. The total extended benefit amount payment to any eligible individual with respect to the applicable benefit year shall be the least of the following amounts:

I. Fifty percent (50%) of the total amount of regular benefits which were payable to the individual under this Chapter in the individual's applicable benefit year; or

II. Thirteen times the individual's weekly benefit amount that was payable to the individual under this Chapter for a week of total unemployment in the applicable benefit year.

2. I. Effective with respect to weeks beginning in a high unemployment period, sub-subdivision e.1. of this subdivision shall be applied by substituting:

A. "Eighty percent (80%)" for "fifty percent (50%)" in sub-subdivision e.1.I., and

B. "Twenty" for "thirteen" in sub-subdivision e.1.II.

II. For purposes of sub-subdivision 2.I., the term "high unemployment period" means any period during which an extended benefit period would be in effect if sub-subdivision c. of this subdivision were applied by substituting "eight percent (8%)" for six and one-half percent (6.5%).

3. This subdivision applies as provided under the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 24 (P.L. 111-312) as it existed on December 17, 2010, and is applicable to compensation for weeks of

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unemployment beginning after December 17, 2010, and ending on or before December 31, 2011, provided that:

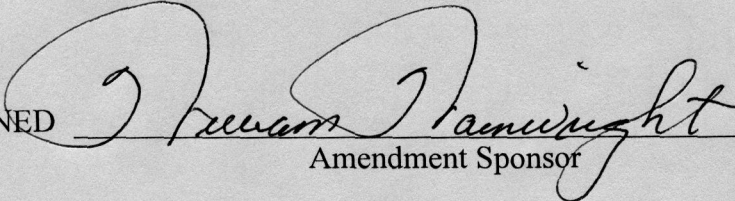
I. The average rate of total unemployment, seasonally adjusted, as determined by the United States Secretary of Labor, for the period consisting of the most recent three months for which data for all states are published before the close of the week equals or exceeds eight percent (8%); and

II. The average rate of total unemployment in this State, seasonally adjusted, as determined by the United States Secretary of Labor, for the three-month period referred to in this subdivision equals or exceeds one hundred ten percent (110%) of the average for any of the corresponding three-month periods ending in the three preceding calendar years.'

SECTION 1.A.(c). This section is effective when it becomes law and expires January 1, 2012.";

and on page 1, line 9, by rewriting that line to read:

"**SECTION 2.** Except as otherwise provided, this act is effective when it becomes law.".

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____