

HELD TO BE ~~NOT~~ GERMANE



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 578*

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

H578-ALB-77 [v.2]

Page 1 of 3

Comm. Sub. [YES]
Amends Title [YES]
Second Edition

Date May 18, 2011

Senator Nesbitt

1 Moves to amend the bill on page 1, line 9 by deleting "AND" and on page 1 line 10 by deleting
2 "APPOINTMENTS." and substituting "APPOINTMENTS, AND (7) TO PROTECT
3 UNEMPLOYMENT BENEFITS."
4

5 moves to amend the bill on page 5, lines 31-33, by rewriting those lines to read:

6 SECTION 6.1.(a) G.S. 96-12.01(a1)(4)c. is amended by adding a new
7 sub-subsubdivision to read:

8 "3. This section applies as provided under the Tax Relief,
9 Unemployment Insurance Reauthorization, and Job Creation
10 Act of 2010 (P.L. 111-312) as it existed on December 17,
11 2010, and is applicable to compensation for weeks of
12 unemployment beginning after December 17, 2010, and
13 ending on or before December 31, 2011, provided that:

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

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

33 SECTION 6.1.(b) G.S. 96-12.01(a1)(4)e. reads as rewritten:

34 "(4) There is an "on indicator" for this State for a week if the Commission
35 determines, in accordance with the regulations of the United States Secretary
36 of Labor, that for the period consisting of such week and the immediate



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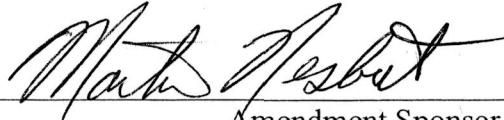
Page 3 of 3

1 reduce the debt it owes the federal government to pay unemployment benefits. It is not the
2 intent of this section to pay for the extended benefits with contributions paid by employers
3 under Chapter 96 of the North Carolina General Statutes or with contributions paid by
4 employers under the federal payroll tax that would otherwise be used to pay down the amount
5 borrowed from the federal government by the State to pay unemployment benefits. Nothing in
6 this section obligates the State to pay extended benefits provided by this section with
7 contributions payable under Chapter 96 of the General Statutes or with any other State funds.
8 This section is null and void if the payment of the benefits would divert federal payroll tax
9 revenue payable by North Carolina employers that would otherwise be used to pay down the
10 amount borrowed from the federal government by the State to pay unemployment benefits.

11 **SECTION 6.1.(d)** This section is effective April 16, 2011 and expires January 1,
12 2012.

13 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
14 law. Other than Section 6.1, no section of this act, however, becomes effective unless Senate
15 Bill 323 of the 2011 Regular Session becomes law.
16

SIGNED


Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____

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Sarah Clapp
5.18.11