

1 S.10

2 Senator Brock moves that the report of the Committee on Economic  
3 Development, Housing and General Affairs be amended as follows:

4 First: By striking out Sec. 5, 21 V.S.A. § 1338, in its entirety and inserting  
5 in lieu thereof a new Sec. 5 to read as follows:

6 Sec. 5. 21 V.S.A. § 1338 is amended to read:

7 § 1338. WEEKLY BENEFITS

8 (a) Each eligible individual who is totally unemployed in any week shall be  
9 paid with respect to such a week a weekly benefit amount determined as  
10 provided in this section.

11 \* \* \*

12 (e)(1) For benefit years beginning on January 3, 1988 and subsequent  
13 thereto, an individual's weekly benefit amount shall be determined by dividing  
14 the individual's two high quarter total subject wages required under  
15 subdivision (d)(1) of this section by ~~45~~ 38; provided that the weekly benefit  
16 amount so determined shall not exceed the maximum weekly benefit amount  
17 computed as provided in subsection (f) of this section.

18 (2) In addition to the weekly benefit amount determined pursuant to  
19 subdivision (1) of this subsection, an individual shall be entitled to an  
20 additional weekly allowance of \$50.00 if the individual has one or more  
21 dependent children under 18 years of age.

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Second: By striking out Sec. 7, 21 V.S.A. § 1338, in its entirety and inserting in lieu thereof a new Sec. 7 to read as follows:

Sec. 7. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

(a) Each eligible individual who is totally unemployed in any week shall be paid with respect to such a week a weekly benefit amount determined as provided in this section.

\* \* \*

(e)(1) For benefit years beginning on January 3, 1988 and subsequent thereto, an individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by ~~38~~ 45; provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed as provided in subsection (f) of this section.

~~(2) In addition to the weekly benefit amount determined pursuant to subdivision (1) of this subsection, an individual shall be entitled to an additional weekly allowance of \$50.00 if the individual has one or more dependent children under 18 years of age.~~

\* \* \*



1 the name of the Commissioner and commenced within eight years from the  
2 date of the determination.

3 (5) The Commissioner shall not waive any portion of the amount of  
4 overpaid benefits, additional penalties, and interest due from a person who  
5 intentionally misrepresented or failed to disclose a material fact with respect to  
6 his or her claim for benefits.

7 (6) In addition to any amounts required to be paid pursuant to this  
8 subsection, if the Commissioner finds that a person intentionally  
9 misrepresented or failed to disclose a material fact with respect to his or her  
10 claim for benefits, the Commissioner shall refer the case to the Attorney  
11 General for possible prosecution under 13 V.S.A. § 2001, 2002, or 2030.

12 \* \* \*

13 Sec. 11. 21 V.S.A. § 1347a is added to read:

14 § 1347a. UNEMPLOYMENT INSURANCE OVERPAYMENTS FROM  
15 FRAUD; ANNUAL REPORT

16 (a) On or before January 15 of each year, the Commissioner shall submit a  
17 written report to the Senate Committee on Economic Development, Housing  
18 and General Affairs and the House Committee on Commerce and Economic  
19 Development that provides the following information for each of the past five  
20 years:

- 1           (1) the number of unemployment insurance overpayments resulting  
2 from fraud;
- 3           (2) the total amount of unemployment insurance benefits that were  
4 overpaid as a result of fraud;
- 5           (3) the amount of unemployment insurance benefits overpaid as a result  
6 of fraud that have been recovered by the Department;
- 7           (4) the number of fraud cases referred to the Attorney General pursuant  
8 to subdivision 1347(c)(6) of this chapter;
- 9           (5) the number of prosecutions resulting from the referrals; and
- 10           (6) the number of convictions resulting from the prosecutions.
- 11           (b) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall  
12 not apply to this section.

13       Sec. 12. INTEGRITY DATA HUB; IMPLEMENTATION

14           The Commissioner of Labor shall take all necessary steps to ensure that, on  
15 or before July 1, 2021, the Department of Labor implements and begins  
16 utilizing the National Association of State Workforce Agencies' Integrity Data  
17 Hub.

1           \* \* \* Report Unemployment Insurance Contribution Rate Formula \* \* \*

2           Sec. 13. REVISED FORMULA FOR DETERMINING UNEMPLOYMENT  
3                           INSURANCE RATE SCHEDULE; REPORT

4           (a) On or before November 15, 2021, the Commissioner of Labor shall  
5           submit to the Senate Committee on Economic Development, Housing and  
6           General Affairs and the House Committee on Commerce and Economic  
7           Development a proposal for legislative changes necessary to revise the formula  
8           for determining the unemployment insurance rate schedule that is set forth in  
9           21 V.S.A. § 1326 in a manner that:

10           (1) results in a reduction of unemployment contributions due during the  
11           period from July 1, 2023 through June 30, 2031; and

12           (2) ensures that the Unemployment Insurance Trust Fund will, on or  
13           before December 31, 2030, achieve a balance sufficient to maintain the  
14           solvency of the Fund during an average economic recession.

15           (b)(1) On or before October 15, 2021, the Commissioner of Labor shall  
16           submit the proposal developed pursuant to subsection (a) of this section to the  
17           State Treasurer. The State Treasurer shall independently review the proposal  
18           and determine whether the proposed revision to the formula set forth in 21  
19           V.S.A. § 1326 will allow the Unemployment Insurance Trust Fund to, on or  
20           before December 31, 2030, achieve a balance sufficient to maintain the  
21           solvency of the Fund during an average economic recession.

