



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1975/PS  
JTK&MED:js:ph

NOTE  
Fri 4/19

Stacy

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SW

(reinsert)

1 AN ACT ~~to repeal~~ 20.445 (1) (f), 108.02 (4m) (g), 108.02 (13) (kL), 108.04 (7) (cm),  
2 (d), (g), (j), (k), (L), (m), (n), (o), (q) and (r), 108.05 (1) (n) to (p) and 108.06 (7);  
3 **to renumber** 50.498 (4); **to renumber and amend** 108.04 (7) (p), 108.04 (7)  
4 (t) and 440.12; **to amend** 13.63 (1) (b), 13.63 (1) (c), 19.55 (2) (d), 29.024 (2r)  
5 (title), 29.024 (2r) (c), 29.024 (2r) (d) 1., 48.66 (2m) (c), 48.715 (7), 50.498 (title),  
6 50.498 (2), 50.498 (5), 51.032 (title), 51.032 (2), 51.032 (4), 51.032 (5), 71.78 (4)  
7 (o), 73.0301 (2) (c) 2., 73.0302 (title), 73.09 (6m), 101.02 (20) (b), 101.02 (20) (c),  
8 101.02 (20) (d), 102.17 (1) (c), 103.005 (10), 103.275 (2) (b) (intro.), 103.275 (7)  
9 (b), 103.275 (7) (c), 103.34 (3) (c), 103.34 (10) (title), 103.92 (3), 104.07 (1) and  
10 (2), 105.13 (1), 108.02 (4m) (a), 108.02 (13) (a), 108.02 (15m) (intro.), 108.04 (1)  
11 (g) (intro.), 108.04 (1) (hm), 108.04 (2) (a) 2., 108.04 (2) (a) 3. (intro.), 108.04 (2)  
12 (a) 3. c., 108.04 (7) (a), 108.04 (7) (e), 108.04 (7) (h), 108.04 (8) (a) and (c), 108.05  
13 (1) (q) (intro.), 108.05 (3) (a), 108.06 (1), 108.06 (2) (c), 108.06 (2) (cm), 108.06  
14 (3), 108.06 (6) (intro.), 108.10 (intro.), 108.14 (8n) (e), 108.14 (19), 108.141 (7)  
15 (a), 108.16 (2) (g) and (h), 108.19 (1m), 108.19 (1m), 108.205 (1), 108.21 (1),

1 108.22 (1) (a), 115.31 (6m), 118.19 (1m) (a), 118.19 (1m) (b), 138.09 (1m) (b) 2.  
2 a., 138.09 (3) (am) 2., 138.09 (4) (c), 138.12 (3) (d) 2. a., 138.12 (5) (am) 1. b.,  
3 138.12 (5) (am) 3., 138.14 (4) (a) 2. a., 138.14 (9) (d), 146.40 (4d) (b), 146.40 (4d)  
4 (d), 146.40 (4d) (e), 169.35 (title), 169.35 (2), 169.35 (3), 170.12 (3m) (b) 1.,  
5 217.05 (1m) (b) 1., 217.09 (4), 217.09 (6), 218.0114 (21e) (a), 218.0114 (21g) (b)  
6 1., 218.0116 (1g) (b), 218.02 (2) (a) 2. a., 218.04 (3) (a) 2. a., 218.04 (5) (b), 218.05  
7 (3) (am) 2. a., 218.05 (12) (b), 218.05 (12) (e), 218.11 (2) (am) 3., 218.12 (2) (am)  
8 2., 218.21 (2m) (b), 218.31 (1m) (b), 218.41 (2) (am) 2., 218.51 (3) (am) 2., 224.72  
9 (2) (c) 2. a., 224.725 (2) (b) 1. a., 224.927 (1), 227.53 (1) (a) 3., 252.241 (title),  
10 252.241 (2), 254.115 (title), 254.115 (2), 254.176 (5), 254.20 (7), 256.18 (title),  
11 256.18 (2), 256.18 (5), 299.07 (title), 299.07 (1) (b) 1., 299.08 (1) (b) 2., 341.51 (4g)  
12 (b), 342.06 (1) (eg), 343.14 (1), 343.14 (2j), 343.305 (6) (e) 3. b., 343.61 (2) (b),  
13 343.62 (2) (b), 343.69 (1), 440.03 (11m) (c), 452.18, 551.412 (4g) (a) 1., 551.605  
14 (2), 562.05 (8m) (a), 562.05 (8m) (b), 563.285 (title), 563.285 (2) (a), 563.285 (2)  
15 (b), 628.095 (4) (b), 628.097 (title), 628.097 (2m), 628.10 (2) (cm), 632.69 (2) (c),  
16 632.69 (2) (d) 2., 632.69 (4) (d), 633.14 (2c) (b), 633.14 (2m) (b), 633.15 (2) (d),  
17 751.155 (title), 751.155 (1), 751.155 (2) and 751.155 (3); **to repeal and**  
18 **recreate** 108.04 (2) (a) 2., 108.04 (2) (a) 3. (intro.), 108.05 (1) (q) (intro.) and  
19 108.05 (3) (a); and **to create** 20.445 (1) (fx), 20.445 (1) (gm), 50.498 (4) (b),  
20 73.0302 (5), 73.0302 (6), 73.09 (8), 102.17 (1) (ct), 103.275 (2) (bt), 103.34 (10)  
21 (d), 103.91 (4) (d), 103.92 (8), 104.07 (7), 105.13 (4), 108.04 (2) (a) 4. and 5.,  
22 108.04 (2) (g), 108.04 (7) (p) 2. and 3., 108.04 (15), 108.05 (1) (r), 108.14 (20),  
23 108.14 (21), 108.14 (22), 108.14 (23), 108.14 (24), 108.22 (1) (cm), 108.223,  
24 108.227, 138.12 (4) (a) 1m., 138.12 (4) (b) 5m., 138.14 (5) (b) 2m., 138.14 (9) (cm),  
25 170.12 (8) (b) 1. bm., 170.12 (8) (b) 4., 217.06 (5m), 217.09 (1t), 218.0116 (1m)

1 ~~(a) 2m., 218.0116 (1m) (d), 218.02 (3) (dm), 218.02 (6) (d), 218.02 (9) (a) 1m.,~~  
 2 ~~218.04 (4) (am) 2m., 218.04 (5) (at), 218.05 (4) (c) 2m., 218.05 (11) (bm), 218.05~~  
 3 ~~(12) (at), 218.11 (6m) (c), 218.12 (3m) (c), 218.22 (3m) (c), 218.32 (3m) (c), 218.41~~  
 4 ~~(3m) (b) 3., 218.51 (4m) (b) 3., 224.44, 224.72 (7m) (bm), 224.725 (6) (bm), 224.77~~  
 5 ~~(2m) (e), 224.95 (1) (bm), 252.241 (5), 254.115 (5), 256.18 (4m), 299.07 (3), 341.51~~  
 6 ~~(4m) (c), 343.305 (6) (e) 6., 343.66 (3m), 440.12 (2), 551.406 (6) (a) 1m., 551.412~~  
 7 ~~(4g) (a) 2m., 551.412 (4g) (d), 562.05 (5) (a) 11., 562.05 (8) (f) and 563.285 (1m)~~

8 of the statutes; **relating to:** various changes in the unemployment insurance  
 9 law; payment of interest on advances made by the federal government to the  
 10 unemployment reserve fund; license revocations based on delinquency in  
 11 payment of unemployment insurance contributions; granting rule-making  
 12 authority; providing a penalty; and making appropriations.

---

### ***Analysis by the Legislative Reference Bureau***

NOTE: The items contained in this draft are the initial LRB draft of the items. DWD has not completed its review of these items. Some of the language may also require review by the U.S. Department of Labor. In the past, DWD has requested considerable changes to initial LRB drafts after internal review by DWD.

This bill makes various changes in the unemployment insurance (UI) law. Significant changes include:

#### **BENEFIT RATE CHANGES**

Currently, weekly unemployment insurance benefit rates for total unemployment range from \$54 for an employee who earns wages (or certain other amounts treated as wages) of at least \$1,350 during at least one quarter of the employee's base period (period preceding a claim during which benefit rights accrue) to \$363 for an employee who earns wages (or certain other amounts treated as wages) of at least \$9,075 during any such quarter. This bill adjusts weekly benefit rates for weeks of unemployment beginning on or after January 5, 2014, to rates ranging from \$55 for an employee who earns wages (or certain other amounts treated as wages) of at least \$1,375 during at least one quarter of the employee's base period to \$370 for an employee who earns wages (or certain other amounts treated as wages) of at least \$9,250 during any such quarter. The bill does not affect the benefit rate of any employee who earns wages (or certain other amounts treated as wages) of at least \$1,375 during at least one quarter of the employee's base period or any employee who

OTHER BENEFIT CHANGES

← use subhead (not subsub)

earns wages (or certain other amounts treated as wages) of less than \$9,100 during at least one quarter of the employee's base period.

**Registration and search for work**

Currently, with limited exceptions, in order to become and remain eligible to receive UI benefits for any week, a claimant is required, among other things, to register for work and to conduct a reasonable search for suitable work within that week, which must include at least two actions that constitute a reasonable search as prescribed by rule by the Department of Workforce Development (DWD).

This bill requires each claimant, subject to the same exceptions, to register for work in the manner directed by DWD and increases the minimum number of actions that a claimant must undertake to become and remain eligible for benefits to at least four actions per week.

The bill also requires a claimant, subject to the same exceptions, to provide information or job application materials and to participate in a public employment office workshop or training program or in similar reemployment services that do not require a participation fee, if either is required by DWD for a given week. The bill allows DWD to use the information or job application materials provided by a claimant to assess the claimant's efforts, skills, and ability to find or obtain work and to develop a list of potential opportunities for a claimant to obtain suitable work. However, the bill provides that a claimant who is subject to the work search requirement need not apply for a specific position on that list in order to satisfy that requirement.

**Failure to accept suitable work or recall to former employer**

Currently, with certain exceptions, if an employee fails, without good cause, to accept suitable work when offered or to return to work with a former employer that recalls the employee within 52 weeks after the employee last worked for the employer, the employee is ineligible to receive benefits until four weeks have elapsed since the end of the week in which the failure occurs and the employee earns wages, or certain other amounts treated as wages, equal to at least four times the employee's weekly benefit rate in employment covered by the unemployment insurance law of any state or the federal government.

Subject to all of the same exceptions and qualifications, the bill changes the number of weeks required to requalify under these provisions to at least ten weeks and changes the amount of wages an employee must earn to requalify under these provisions to at least ten times the employee's weekly benefit rate.

**Termination of work; general requirements to requalify for benefits**

Currently, unless an exception applies, if an employee voluntarily terminates his or her work with an employer, the employee is generally ineligible to receive benefits until the following requalification requirements are satisfied: 1) four weeks have elapsed since the end of the week in which the termination occurs and 2) the employee earns wages after the week in which the termination occurs equal to at least four times the employee's weekly benefit rate in employment covered by the unemployment insurance law of any state or the federal government.

The bill modifies the first requalification requirement so that an employee who voluntarily terminates his or her work with an employer is generally ineligible to

✓  
4WS  
4A

receive benefits until the employee earns wages after the week in which the termination occurs equal to at least *ten* times the employee's weekly benefit rate in employment covered by the unemployment insurance law of any state or the federal government. The bill eliminates the second requalification requirement that four weeks must have elapsed before the terminating employee may again become eligible for benefits.

***Termination of work; exemptions from requalification requirements***

Under current law, an employee who voluntarily terminates his or her work with an employer is exempt from the requalification requirements certain circumstances, including all of the following:

1. The employee was hired to work a particular shift and terminated his or her work because the employer required the employee to transfer his or her working hours to a shift occurring at a time that would result in a lack of child care for the employee's minor children.

2. The employee terminated his or her work to accept a recall to work for a former employer within 52 weeks after having last worked for that employer.

3. The employee maintained a temporary residence near the terminated work; the employee maintained a permanent residence in another locality; and the employee terminated the work and returned to his or her permanent residence because the work available to the employee had been reduced to less than 20 hours per week in at least two consecutive weeks.

4. The employee left or lost his or her work because the employee reached the employer's compulsory retirement age.

5. The employee terminated part-time work because a loss of other, full-time employment made it economically unfeasible for the employee to continue the part-time work.

6. The employee terminated his or her work with a labor organization if the termination caused the employee to lose seniority rights granted under a collective bargaining agreement and resulted in the loss of the employee's employment with the employer, which is a party to that collective bargaining agreement.

7. The employee terminated his or her work in a position serving as a part-time elected or appointed member of a governmental body or representative of employees; the employee was engaged in work for an employer other than the employer in which the employee served as the member or representative; and the employee was paid wages in the terminated work constituting not more than 5 percent of the employee's base period wages for purposes of entitlement for benefits.

8. The employee terminated his or her work in one of two or more concurrently held positions, at least one of which was full-time work, if the employee terminated his or her work before receiving notice of termination from a full-time work position.

9. The employee, while serving as a member of the U.S. armed forces, was engaged concurrently in other work and terminated that work as a result of the employee's honorable discharge or discharge under honorable conditions from active duty as a member of the U.S. armed forces for a reason that would qualify the employee to receive unemployment compensation under federal law.

10. The employee owns or controls an ownership interest in a family corporation and the employee's employment was terminated because of an involuntary cessation of the business of the corporation under certain specified conditions.

The bill eliminates these ten exemptions from the requalification requirements for employees who voluntarily terminate employment.

Under current law, subject to certain limitations, an employee who voluntarily terminates his or her work with an employer is exempt from the requalification requirements if: 1) the employee accepted work that was not suitable work under the UI law or work that the employee could have refused for specified reasons related to protecting labor standards and 2) the employee terminated the work within ten weeks after starting the work. Under the bill, this exemption only applies if the employee terminated that work within *30 days* after starting the work.

Under current law, an employee who voluntarily terminates his or her work with an employer is exempt from the requalification requirements if the employee's spouse changed his or her place of employment to a place to which it is impractical to commute and the employee terminated his or her work to accompany the spouse to that place. The bill narrows this exemption so that it only applies if the employee's spouse is an active duty member of the U.S. Armed Forces who was required by the U.S. Armed Forces to relocate.

Under current law, an employee who voluntarily terminates his or her work with an employer is exempt from the requalification requirements if the employee terminated work to accept other covered employment and earned wages in the subsequent employment equal to at least four times the employee's weekly benefit rate if the work: 1) offered average weekly wages at least equal to the average weekly wages that the employee earned in the terminated work; 2) offered the same or a greater number of hours of work than those performed in the work terminated; 3) offered the opportunity for significantly longer term work; or 4) offered the opportunity to accept a position for which the duties were primarily discharged at a location significantly closer to the employee than the the terminated work. An employee who voluntarily terminates his or her work with an employer is also exempt from the requalification requirements if the employee, while claiming benefits for partial unemployment, terminated work to accept other covered employment that offered an average weekly wage greater than the average weekly wage earned in the work terminated.

The bill consolidates these two exemptions into one exemption, which applies only if the employee terminated work to accept covered employment that: 1) offered an average weekly wage greater than the average weekly wage earned in the work terminated; 2) offered a greater number of hours of work than those performed in the work terminated; or 3) offered the opportunity for significantly longer term work. The exemption as consolidated applies regardless of whether the employee is claiming benefits for partial unemployment or whether the employee earns a certain amount of wages in the subsequent work.

The bill does not affect any other exemptions from the requalification requirements.

***Temporary help companies and work search***

The bill provides that there is a rebuttable presumption that a claimant who is subject to the UI law's work search requirement has not conducted a reasonable search for suitable work in a given week if: 1) the claimant was last employed by a temporary help company, as defined under current law; 2) during that week, the individual did not contact the temporary help company for an assignment; and 3) the temporary help company submits a notice to the department reporting that the individual failed to so contact the temporary help company. The claimant may overcome the rebuttable presumption only by a showing that the claimant did in fact contact the temporary help company for an assignment or by showing that the claimant had good cause for failing to do so. The bill specifically provides that the claimant's contact of the temporary help company for a given week counts as one action toward the UI law's work search requirement for that week.

***Extended training benefits***

Currently, benefits may not be denied to an otherwise eligible claimant because the claimant is enrolled in a vocational training course or a basic education course that is a prerequisite to such training ("approved training") under certain conditions. Currently, a claimant may also qualify to receive benefits while participating in an extended training program under certain conditions, under such a program, if a claimant 1) has exhausted all other rights to benefits, 2) is currently enrolled in an approved training program and was so enrolled prior to the end of the claimant's benefit year (period during which benefits are payable) that qualified the claimant for benefits, 3) if not in a current benefit year, has a benefit year that ended no earlier than 52 weeks prior to the week for which the claimant first claims extended training benefits, and 4) is not receiving any similar stipends or other training allowances for nontraining costs, is entitled to extended training benefits of up to 26 times the same benefit rate that applied to the claimant during his or her most recent benefit year if the claimant is being trained for entry into a high-demand occupation. In addition, if the benefit year of such a claimant expires in a week in which extended or other additional federal or state benefits are payable generally, the claimant is also eligible for extended training benefits while enrolled in a training program if the claimant first enrolled in the program within 52 weeks after the end of the claimant's benefit year that qualified the claimant for benefits. This bill deletes extended training benefits.

***Treatment of cafeteria plan amounts in benefit calculations***

Currently, employers must report wages to DWD and these reports are used to determine the UI benefit eligibility and amounts of benefits payable to UI claimants. The wages reported do not include salary reduction amounts withheld from employees for cafeteria plan benefits (fringe benefits the value of which is excluded from gross income under the federal Internal Revenue Code). However, these amounts are included in the formula that is used to determine the benefit eligibility and amounts payable to claimants. DWD may require employers to report the amounts in their wage reports and employers must maintain records of these amounts.

This bill excludes salary reduction amounts for cafeteria plan benefits in calculating the wages that were paid to a claimant for purposes of determining the claimant's benefit eligibility and amounts. The bill also deletes reporting and record-keeping requirements for these amounts. The effect is to raise the threshold for benefit eligibility and to potentially decrease the amount of benefits that may become payable to certain claimants whose wages include deductions for these amounts.

***Failure of claimants to provide requested information***

Currently, DWD may require a claimant to answer questions relating to his or her UI benefit eligibility and to provide certain demographic information for auditing purposes. A claimant is not eligible to receive benefits for any week in which the claimant fails to comply with a request by DWD for information and for any subsequent week until the claimant provides the information or satisfies DWD that he or she has good cause for failure to provide the requested information. If a claimant later complies with a request or satisfies DWD that he or she has good cause for failure to comply, the claimant is eligible to receive benefits beginning with the week in which the failure occurred, if otherwise qualified. Under this bill, if a claimant later complies with a request, the claimant is not eligible to receive benefits until the claimant complies with the request *and* satisfies DWD that he or she has good cause for failure to comply with the request. The bill also provides that if a claimant later complies with a request and does not have good cause for his or her initial failure to comply with the request, the claimant is eligible only to receive benefits beginning with the week in which the claimant complies with the request, if otherwise qualified.

**TAX CHANGES**

***Interest on delinquent payments***

Currently, if an employer does not make a payment required under the UI law to DWD by the due date, the employer must pay interest on the amount owed equal to a variable rate determined by law from the date that the payment became due. Revenues from interest payments are used to administer the UI program. This bill permits DWD to waive or decrease the interest charged to an employer in limited circumstances as prescribed by rule of DWD.

***Treatment of limited liability companies consisting of the same members***

Currently, for purposes of the UI law, multiple limited liability companies (LLCs) that consist of the same members are treated as a single employer unless, subject to certain provisions, each of those LLCs files a written request with DWD to be treated as a separate employer and DWD approves the request. Under the bill, consistent with the Federal Unemployment Tax Act (FUTA), multiple LLCs that consist of the same members are always treated as separate employers, for purposes of the UI law.

**OTHER CHANGES**

***Payment of interest on federal advances to reserve fund***

Currently, if in any year the balance in the unemployment reserve fund is insufficient to make full payment of unemployment insurance benefits that become

7/25  
8A



payable to claimants for that year, the Department of Workforce Development (DWD) secures an advance from the federal unemployment account to enable this state to make full payment of all benefits that become payable. Whenever the balance in the unemployment reserve fund is sufficient to repay the federal government for its advances and to continue to make payment of the benefits that become payable, DWD repays the federal government for its outstanding advances. Annually, the federal government assesses interest to this state on this state's outstanding advances that have not been repaid. Currently, if in any year DWD is unable to make full payment of the interest that becomes due from certain other limited sources, each employer must pay an assessment to the state unemployment interest payment fund in an amount specified by law sufficient to enable DWD to make full payment of the interest due for that year.

This bill appropriates a sum sufficient not exceeding \$30,000,000 from general purpose revenues to pay any interest that becomes due to the federal government prior to July 1, 2015, on outstanding advances made to the unemployment reserve fund. Under the bill, DWD must first use any available moneys from this appropriation to make payment of the interest due for any year. If the amount appropriated, together with other available sources, is insufficient to make full payment of the interest that becomes due for any year, each employer must pay an assessment in the amount determined by DWD sufficient to cover the deficiency. If the moneys appropriated under the bill are not fully expended at the end of the 2013–15 fiscal biennium, the balance is retained in the general fund.

#### ***License revocations based on UI contribution delinquencies***

Current law requires various state agencies and boards (licensing departments) that issue various licenses and other credentials (licenses) to revoke a license or deny an application for a license if the Department of Revenue (DOR) certifies that the license holder or applicant owes DOR delinquent taxes. Current law also allows the Wisconsin Supreme Court to decide whether to revoke or deny an application for a license to practice law if the license holder or applicant is certified by DOR to owe delinquent taxes. This bill creates similar provisions for license holders and applicants that DWD certifies are liable for delinquent UI contributions. UI contributions are taxes employers must pay to DWD for deposit with the federal government, and which are then used to pay the claims of claimants for UI benefits. The bill also includes within the definition of UI contributions other assessments, interest, fees, and penalties that have been imposed upon employers in connection with their UI contribution obligations. The provisions created in the bill apply only to delinquent UI contributions for which the employer has exhausted all legal rights to challenge the employer's liability.

Under the bill, each licensing department must enter into a memorandum of understanding with DWD. Under the memorandum, the licensing department must ask DWD to certify whether a license holder or applicant is liable for delinquent UI contributions. If DWD certifies to a licensing department that a license holder or applicant is liable for delinquent UI contributions, the licensing department must revoke the license or deny the application for a license. A licensing department must mail a notice of revocation or denial to the license holder or applicant, and the notice

must inform the applicant or license holder of the right to a review of DWD's certification at a hearing conducted by DWD. The hearing is limited to questions of mistaken identity and prior payment of the delinquent UI contributions. Following the hearing, if DWD does not uphold its certification, DWD must issue the holder or applicant a nondelinquency certificate and the licensing department must reinstate the license or approve the application for a license without requiring any additional application, fee, or test, unless there are other grounds for denial or revocation. If DWD does uphold its certification, DWD must so inform the license holder or applicant and the licensing department. The license holder or applicant may seek judicial review of an adverse determination by DWD at the hearing by filing a petition for review in the Dane County circuit court and may appeal the court's decision. A license holder or applicant whose license has been revoked or denied because of delinquent UI contributions may also, after satisfying that debt, request DWD to issue a nondelinquency certificate, which the license holder or applicant may then present to have the license reinstated, unless there are other grounds for not reinstating the license or for denying the application.

The bill includes the following within the definition of licensing department: the Department of Administration; the Board of Commissioners of Public Lands; the Department of Children and Families; the Government Accountability Board; the Department of Financial Institutions; the Department of Health Services; the Department of Natural Resources; the Department of Public Instruction; the Department of Revenue; the Department of Safety and Professional Services; the Office of the Commissioner of Insurance; and the Department of Transportation. The bill applies to various licenses administered by the aforementioned licensing departments.

The bill allows DWD to deny an application for or revoke various licenses administered by DWD if the license holder or applicant is liable for delinquent UI contributions. Such a license holder or applicant has the same rights to review by DWD and to judicial review as do holders of or applicants for licenses administered by other licensing departments.

The bill also requests the Wisconsin Supreme Court to enter into a similar memorandum of understanding with DWD. If DWD determines that a licensed attorney or an applicant for a license to practice law is liable for delinquent UI contributions, DWD may send the attorney or applicant a notice of that determination. The attorney or applicant has the same rights to a hearing and judicial review as do other license holders or applicants. However, DWD may not send the supreme court a certification of UI contribution delinquency until the attorney or applicant has exercised or exhausted his or her full rights to judicial review. If the determination is upheld following the holder or applicant's exercise or exhaustion of rights to judicial review, DWD may then certify to the supreme court that the attorney or applicant is liable for delinquent UI contributions. The supreme court may then decide whether to suspend, revoke, or deny the attorney's or applicant's license to practice law.

***Financial record matching program***

Currently, the Departments of Children and Families, Revenue, and Health Services (departments) operate financial records matching programs whereby the departments, for various asset verification or determination purposes, match data possessed by the departments with the records of financial institutions. This bill establishes a similar financial records matching program with DWD to allow DWD to identify the assets of persons who are delinquent in paying debts related to the UI program (UI debtors).

Under the program, financial institutions doing business in this state must enter into agreements with DWD to participate in a financial institution matching option or a state matching option. DWD may pay such a financial institution up to \$125 per calendar quarter for participating.

Under the financial institution matching option, at least once every calendar quarter DWD sends information to the financial institution, including names, addresses, and social security numbers, about UI debtors. The financial institution determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, sends DWD information about the account, such as the type, number, and balance.

Under the state matching option, at least once every calendar quarter the financial institution sends DWD information about accounts maintained at the financial institution, including the name and social security number of each person having an ownership interest in each account. On the basis of that information, DWD determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, may request further information from the financial institution, including the person's address of record and the account balance.

The bill prohibits DWD from disclosing or retaining information concerning account holders who are not UI debtors; prohibits employees, agents, officers, and directors of financial institutions from disclosing or retaining information concerning UI debtors; and prohibits both DWD and financial institutions from using any information received under the program for any purpose not related to the program. The bill provides penalties for any employee, agent, officer, or director of a financial institution who violates any of the prohibitions. The bill also provides that a financial institution is not liable for disclosing financial information, or for taking any other action, in compliance with the program.

***Tardy filing fees***

Currently, each employer must file a quarterly report with DWD identifying the name of and wages paid to each employee who is employed by the employer in employment covered by the UI law during the most recent calendar quarter. With limited exceptions, if an employer is delinquent in filing the report, the employer must pay a tardy filing fee of \$50. Revenue from tardy filing fees is used for various purposes to support the UI program. This bill increases the tardy filing fee to \$100 or \$20 per employee, whichever is greater, but provides that if the employer files the report within 30 days of its due date, the fee remains at \$50.

***Work search audits of claimants***

The bill requires DWD to conduct random audits on claimants for regular UI benefits to assess compliance with the UI law's work search requirement. The bill requires DWD to include in its annual fraud report that is presented to the Council on Unemployment Insurance information about these audits and the number of audits conducted in the previous year.

***Online portal for filing complaints***

The bill requires DWD to maintain a portal on the Internet that allows employers to log in and file complaints with DWD related to the administration of the UI law.

***Fraud investigation positions***

The bill authorizes the creation of three GPR-funded positions in DWD for the investigation of UI fraud and appropriates the necessary moneys to fund the positions.

***Social security numbers maintained by DOT***

Under current law, an individual who applies to the Department of Transportation (DOT) for vehicle title, for a motor vehicle operator's license or an identification card, or for registration as a motor vehicle dealer must, with limited exceptions, state his or her social security number on the application. DOT is generally required to maintain the confidentiality of these social security numbers but may disclose these social security numbers in limited circumstances, including to the Department of Children and Families and DOR for specified purposes.

This bill allows these social security numbers to also be disclosed to DWD for the sole purpose of enforcing or administering DWD's collection responsibilities related to UI.

***UI handbook for employers***

The bill requires DWD to create and keep up-to-date a handbook for employers for the purpose of informing employers who are subject to the UI law about the provisions and requirements of the UI law. The handbook must include all of the following: 1) information about the function and purpose of UI; 2) a description of the rights and responsibilities of employers under the UI law, including the rights and responsibilities associated with hearings to establish eligibility for benefits under the law; 3) a description of the circumstances under which claimants are eligible and ineligible for UI benefits under the UI law; and 4) disclaimers explaining that the contents of the handbook may not be relied upon as legally enforceable and that adherence to the contents does not guarantee a particular result for a decision on a UI matter. DWD must make the handbook available on the Internet and must, for a fee, distribute printed copies of the handbook to employers who so request.

***Electronic database of decisions***

The bill requires DWD to maintain a searchable, electronic database of significant decisions made by appeal tribunals (commonly known as administrative law judges) and by the labor and industry review commission on UI matters for the use of the attorneys employed by DWD.

✓  
FWS  
12A →

***Standard affidavit form***

This bill directs DWD to prescribe a standard affidavit form that may be used by parties to UI administrative appeals. Use of the form by a party does not eliminate the right of an opposing party to cross examine the affiant concerning the facts asserted in the affidavit.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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:***

1           **SECTION 1.** 13.63 (1) (b) of the statutes is amended to read:  
2           13.63 (1) (b) Except as provided under par. (am), the board shall not issue a  
3 license to an applicant who does not provide his or her social security number. The  
4 board shall not issue a license to an applicant or shall revoke any license issued to  
5 a lobbyist if the department of revenue certifies to the board that the applicant or  
6 lobbyist is liable for delinquent taxes under s. 73.0301 or if the department of  
7 workforce development certifies to the board that the applicant or lobbyist is liable  
8 for delinquent unemployment insurance contributions under s. 108.227. The board  
9 shall refuse to issue a license or shall suspend any existing license for failure of an  
10 applicant or licensee to pay court-ordered payments of child or family support,  
11 maintenance, birth expenses, medical expenses or other expenses related to the  
12 support of a child or former spouse or failure of an applicant or licensee to comply,  
13 after appropriate notice, with a subpoena or warrant issued by the department of  
14 children and families or a county child support agency under s. 59.53 (5) and related  
15 to paternity or child support proceedings, as provided in a memorandum of

**SECTION 1**

1 understanding entered into under s. 49.857. No application may be disapproved by  
2 the board except an application for a license by a person who is ineligible for licensure  
3 under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has  
4 been revoked under this subsection or s. 13.69 (7) and only for the period of such  
5 ineligibility or revocation.

6 **SECTION 2.** 13.63 (1) (c) of the statutes is amended to read:

7 13.63 (1) (c) Denial of a license on the basis of a certification by the department  
8 of revenue or the department of workforce development may be reviewed under s.  
9 73.0301 or 108.227, whichever is applicable. Except with respect to a license that is  
10 denied or suspended pursuant to a memorandum of understanding entered into  
11 under s. 49.857, denial or suspension of any other license may be reviewed under ch.  
12 227.

13 **SECTION 3.** 19.55 (2) (d) of the statutes is amended to read:

14 19.55 (2) (d) Records of the social security number of any individual who files  
15 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal  
16 under s. 13.64, except to the department of children and families for purposes of  
17 administration of s. 49.22 ~~or~~, to the department of revenue for purposes of  
18 administration of s. 73.0301, and to the department of workforce development for  
19 purposes of administration of s. 108.227.

20 **SECTION 4.** 20.445 (1) (fx) of the statutes is created to read:

21 20.445 (1) (fx) *Interest on federal advances*. A sum sufficient, not exceeding  
22 \$30,000,000, to pay interest on advances made by the federal government to the  
23 unemployment reserve fund under s. 108.19 (1m).

24 **SECTION 5.** 20.445 (1) (fx) of the statutes, as created by 2013 Wisconsin Act ...  
25 (this act), is repealed.

1           **SECTION 6.** 20.445 (1) (gm) of the statutes is created to read:

2           20.445 (1) (gm) *Unemployment insurance handbook*. All moneys received  
3 under s. 108.14 (23) (d) for the costs of printing and distribution of the unemployment  
4 insurance handbook, to pay for those costs.

5           **SECTION 7.** 29.024 (2r) (title) of the statutes is amended to read:

6           29.024 (2r) (title) DENIAL AND REVOCATION OF APPROVALS BASED ON TAX  
7 ~~DELINQUENCY~~ DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

8           **SECTION 8.** 29.024 (2r) (c) of the statutes is amended to read:

9           29.024 (2r) (c) *Disclosure of numbers*. The department of natural resources  
10 may not disclose any information received under par. (a) to any person except to the  
11 department of revenue for the sole purpose of making certifications required under  
12 s. 73.0301 and to the department of workforce development for the sole purpose of  
13 making certifications required under s. 108.227.

14           **SECTION 9.** 29.024 (2r) (d) 1. of the statutes is amended to read:

15           29.024 (2r) (d) 1. Except as provided in subd. 2., the department shall deny an  
16 application to issue or renew, or revoke if already issued, an approval specified in par.  
17 (a) if the applicant for or the holder of the approval fails to provide the information  
18 required under par. (a) ~~or~~, if the department of revenue certifies that the applicant  
19 or approval holder is liable for delinquent taxes under s. 73.0301, or if the  
20 department of workforce development certifies that the applicant or approval holder  
21 is liable for delinquent unemployment insurance contributions under s. 108.227.

22           **SECTION 10.** 48.66 (2m) (c) of the statutes is amended to read:

23           48.66 (2m) (c) The subunit of the department that obtains a social security  
24 number or a federal employer identification number under par. (a) 1. may not  
25 disclose that information to any person except to the department of revenue for the

1 sole purpose of requesting certifications under s. 73.0301 and to the department of  
2 workforce development for the sole purpose of requesting certifications under s.  
3 108.227 or on the request of the subunit of the department that administers the child  
4 and spousal support program under s. 49.22 (2m).

5 SECTION 11. 48.715 (7) of the statutes is amended to read:

6 48.715 (7) The department shall deny an application for the issuance or  
7 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69  
8 to operate a child welfare agency, group home, shelter care facility, or child care  
9 center, or revoke such a license already issued, if the department of revenue certifies  
10 under s. 73.0301 that the applicant or licensee is liable for delinquent taxes or if the  
11 department of workforce development certifies under s. 108.227 that the applicant  
12 or licensee is liable for delinquent unemployment insurance contributions. An action  
13 taken under this subsection is subject to review only as provided under s. 73.0301 (5)  
14 or 108.227 (5) and not as provided in s. 48.72.

15 SECTION 12. 50.498 (title) of the statutes is amended to read:

16 **50.498 (title) Denial, nonrenewal and revocation of license,**  
17 **certification or registration based on ~~tax delinquency~~ delinquent taxes or**  
18 **unemployment insurance contributions.**

19 SECTION 13. 50.498 (2) of the statutes is amended to read:

20 50.498 (2) The department may not disclose any information received under  
21 sub. (1) to any person except to the department of revenue for the sole purpose of  
22 requesting certifications under s. 73.0301 and to the department of workforce  
23 development for the sole purpose of requesting certifications under s. 108.227.

24 SECTION 14. 50.498 (4) of the statutes is renumbered 50.498 (4) (a).

25 SECTION 15. 50.498 (4) (b) of the statutes is created to read:



1           50.498 (4) (b) The department shall deny an application for the issuance of a  
2 certificate of approval, license or provisional license specified in sub. (1) or shall  
3 revoke a certificate of approval, license or provisional license specified in sub. (1), if  
4 the department of workforce development certifies under s. 108.227 that the  
5 applicant for or holder of the certificate of approval, license or provisional license is  
6 liable for delinquent unemployment insurance contributions.

7           **SECTION 16.** 50.498 (5) of the statutes is amended to read:

8           50.498 (5) An action taken under sub. (3) or (4) is subject to review only as  
9 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is  
10 applicable.

11           **SECTION 17.** 51.032 (title) of the statutes is amended to read:

12           **51.032 (title) Denial and revocations of certification or approval based**  
13 **on ~~tax delinquency~~ delinquent taxes or unemployment insurance**  
14 **contributions.**

15           **SECTION 18.** 51.032 (2) of the statutes is amended to read:

16           51.032 (2) The department may not disclose any information received under  
17 sub. (1) to any person except to the department of revenue for the sole purpose of  
18 requesting certifications under s. 73.0301 and to the department of workforce  
19 development for the sole purpose of requesting certifications under s. 108.227.

20           **SECTION 19.** 51.032 (4) of the statutes is amended to read:

21           51.032 (4) The department shall deny an application for the issuance of a  
22 certification or approval specified in sub. (1) or shall revoke a certification or  
23 approval specified in sub. (1) if the department of revenue certifies under s. 73.0301  
24 that the applicant for or holder of a certification or approval is liable for delinquent  
25 taxes or if the department of workforce development certifies under s. 108.227 that

1 the applicant for or holder of a certification or approval is liable for delinquent  
2 unemployment insurance contributions.

3 **SECTION 20.** 51.032 (5) of the statutes is amended to read:

4 51.032 (5) An action taken under sub. (3) or (4) is subject to review only as  
5 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is  
6 applicable.

7 **SECTION 21.** 71.78 (4) (o) of the statutes is amended to read:

8 71.78 (4) (o) A licensing department or the supreme court, if the supreme court  
9 agrees, for the purpose of denial, nonrenewal, discontinuation and revocation of a  
10 license based on tax delinquency under s. 73.0301 or unemployment insurance  
11 contribution delinquency under s. 108.227.

12 **SECTION 22.** 73.0301 (2) (c) 2. of the statutes is amended to read:

13 73.0301 (2) (c) 2. A licensing department may not disclose any information  
14 received under subd. 1. a. or b. to any person except to the department of revenue for  
15 the purpose of requesting certifications under par. (b) (a) 1. or 2. in accordance with  
16 the memorandum of understanding under sub. (4) and administering state taxes or,  
17 to the department of workforce development for the purpose of requesting  
18 certifications under s. 108.227 (2) (a) 1. or 2. in accordance with the memorandum  
19 of understanding under s. 108.227 (4) and administering the unemployment  
20 insurance program, and to the department of children and families for the purpose  
21 of administering s. 49.22.

22 **SECTION 23.** 73.0302 (title) of the statutes is amended to read:

23 **73.0302** (title) **Liability for delinquent taxes or unemployment**  
24 **insurance contributions.**

25 **SECTION 24.** 73.0302 (5) of the statutes is created to read:

1           73.0302 (5) If the department of workforce development certifies under s.  
2           108.227 that an applicant for certification or recertification under s. 73.03 (50) or a  
3           person who holds a certificate issued under s. 73.03 (50) is liable for delinquent  
4           unemployment insurance contributions, the department of revenue shall deny the  
5           application or revoke the certificate. A person subject to a denial or revocation under  
6           this subsection for delinquent unemployment insurance contributions is entitled to  
7           a notice under s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not  
8           entitled to any other notice or hearing under this chapter.

9           **SECTION 25.** 73.0302 (6) of the statutes is created to read:

10          73.0302 (6) The department of revenue may disclose a social security number  
11          obtained under s. 73.03 (50) (c) to the department of workforce development for the  
12          purpose of requesting certifications under s. 108.227.

13          **SECTION 26.** 73.09 (6m) of the statutes is amended to read:

14          73.09 (6m) SOCIAL SECURITY NUMBERS. Each applicant for certification or  
15          recertification under this section shall provide the applicant's social security number  
16          on the application. The department of revenue may not disclose a social security  
17          number that it obtains under this subsection, except to the department of workforce  
18          development for the purpose of requesting certifications under s. 108.227. The  
19          department of revenue may not certify or recertify any person who fails to provide  
20          his or her social security number on his or her application.

21          **SECTION 27.** 73.09 (8) of the statutes is created to read:

22          73.09 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.  
23          If the department of workforce development certifies under s. 108.227 that an  
24          applicant for certification or recertification under this section is liable for delinquent  
25          unemployment insurance contributions, the department of revenue shall deny the

**SECTION 27**

1 application for certification or recertification or revoke the certificate. A person  
2 subject to a denial or revocation under this subsection for delinquent unemployment  
3 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and  
4 hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing  
5 under this chapter.

6 **SECTION 28.** 101.02 (20) (b) of the statutes is amended to read:

7 101.02 (20) (b) Except as provided in par. (e), the department of safety and  
8 professional services may not issue or renew a license unless each applicant who is  
9 an individual provides the department of safety and professional services with his  
10 or her social security number and each applicant that is not an individual provides  
11 the department of safety and professional services with its federal employer  
12 identification number. The department of safety and professional services may not  
13 disclose the social security number or the federal employer identification number of  
14 an applicant for a license or license renewal except to the department of revenue for  
15 the sole purpose of requesting certifications under s. 73.0301 and to the department  
16 of workforce development for the sole purpose of requesting certifications under s.  
17 108.227.

18 **SECTION 29.** 101.02 (20) (c) of the statutes is amended to read:

19 101.02 (20) (c) The department of safety and professional services may not  
20 issue or renew a license if the department of revenue certifies under s. 73.0301 that  
21 the applicant or licensee is liable for delinquent taxes or if the department of  
22 workforce development certifies under s. 108.227 that the applicant or licensee is  
23 liable for delinquent unemployment insurance contributions.

24 **SECTION 30.** 101.02 (20) (d) of the statutes is amended to read:

1           101.02 (20) (d) The department of safety and professional services shall revoke  
2 a license if the department of revenue certifies under s. 73.0301 that the licensee is  
3 liable for delinquent taxes or if the department of workforce development certifies  
4 under s. 108.227 that the licensee is liable for delinquent unemployment insurance  
5 contributions.

6           **SECTION 31.** 102.17 (1) (c) of the statutes is amended to read:

7           102.17 (1) (c) Any party shall have the right to be present at any hearing, in  
8 person or by attorney or any other agent, and to present such testimony as may be  
9 pertinent to the controversy before the department. No person, firm, or corporation,  
10 other than an attorney at law who is licensed to practice law in the state, may appear  
11 on behalf of any party in interest before the department or any member or employee  
12 of the department assigned to conduct any hearing, investigation, or inquiry relative  
13 to a claim for compensation or benefits under this chapter, unless the person is 18  
14 years of age or older, does not have an arrest or conviction record, subject to ss.  
15 111.321, 111.322 and 111.335, is otherwise qualified, and has obtained from the  
16 department a license with authorization to appear in matters or proceedings before  
17 the department. Except as provided under pars. (cm) ~~and~~, (cr), and (ct), the license  
18 shall be issued by the department under rules promulgated by the department. The  
19 department shall maintain in its office a current list of persons to whom licenses have  
20 been issued. Any license may be suspended or revoked by the department for fraud  
21 or serious misconduct on the part of an agent, any license may be denied, suspended,  
22 nonrenewed, or otherwise withheld by the department for failure to pay  
23 court-ordered payments as provided in par. (cm) on the part of an agent, and any  
24 license may be denied or revoked if the department of revenue certifies under s.  
25 73.0301 that the applicant or licensee is liable for delinquent taxes or if the

**SECTION 31**

1 department determines under par. (ct) that the applicant or licensee is liable for  
2 delinquent contributions. Before suspending or revoking the license of the agent on  
3 the grounds of fraud or misconduct, the department shall give notice in writing to the  
4 agent of the charges of fraud or misconduct and shall give the agent full opportunity  
5 to be heard in relation to those charges. In denying, suspending, restricting, refusing  
6 to renew, or otherwise withholding a license for failure to pay court-ordered  
7 payments as provided in par. (cm), the department shall follow the procedure  
8 provided in a memorandum of understanding entered into under s. 49.857. The  
9 license and certificate of authority shall, unless otherwise suspended or revoked, be  
10 in force from the date of issuance until the June 30 following the date of issuance and  
11 may be renewed by the department from time to time, but each renewed license shall  
12 expire on the June 30 following the issuance of the renewed license.

13 **SECTION 32.** 102.17 (1) (ct) of the statutes is created to read:

14 102.17 (1) (ct) 1. The department may deny an application for the issuance or  
15 renewal of a license under par. (c), or revoke such a license already issued, if the  
16 department determines that the applicant or licensee is liable for delinquent  
17 contributions, as defined in s. 108.227 (1) (d). Notwithstanding par. (c), an action  
18 taken under this subdivision is subject to review only as provided under s. 108.227  
19 (5) and not as provided in ch. 227.

20 2. If the department denies an application or revokes a license under subd. 1.,  
21 the department shall mail a notice of denial or revocation to the applicant or license  
22 holder. The notice shall include a statement of the facts that warrant the denial or  
23 revocation and a statement that the applicant or license holder may, within 30 days  
24 after the date on which the notice of denial or revocation is mailed, file a written  
25 request with the department to have the determination that the applicant or license

1 holder is liable for delinquent contributions reviewed at a hearing under s. 108.227  
2 (5) (a).

3 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a  
4 determination under subd. 1. that an applicant or license holder is liable for  
5 delinquent contributions, the department shall affirm its denial or revocation. An  
6 applicant or license holder may seek judicial review under s. 108.227 (6) of an  
7 affirmation by the department of a denial or revocation under this subdivision.

8 4. If, after a hearing under s. 108.227 (5) (a), the department determines that  
9 a person whose license is revoked or whose application is denied under subd. 1. is not  
10 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department  
11 shall reinstate the license or approve the application, unless there are other grounds  
12 for revocation or denial. The department may not charge a fee for reinstatement of  
13 a license under this subdivision.

14 **SECTION 33.** 103.005 (10) of the statutes is amended to read:

15 103.005 (10) Except as provided in ss. 103.06 (5) (d), 103.275 (2) (bm) ~~and~~, (br),  
16 and (bt), 103.34 (10) (b) ~~and~~, (c), and (d), 103.91 (4) (b) ~~and~~, (c), and (d), 103.92 (6) ~~and~~,  
17 (7), and (8), 104.07 (5) ~~and~~, (6), and (7), and 105.13 (2) ~~and~~, (3), and (4), orders of the  
18 department under chs. 103 to 106 shall be subject to review in the manner provided  
19 in ch. 227.

20 **SECTION 34.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

21 \*103.275 (2) (b) (intro.) Except as provided under pars. (bm) ~~and~~, (br), and (bt),  
22 upon receipt of a properly completed application, the department shall issue a  
23 house-to-house employer certificate if all of the following apply:

24 **SECTION 35.** 103.275 (2) (bt) of the statutes is created to read:

1           103.275 (2) (bt) 1. The department may deny an application for the issuance  
2 or renewal of a house-to-house employer certificate, or revoke such a certificate  
3 already issued, if the department determines that the applicant or house-to-house  
4 employer is liable for delinquent contributions, as defined in s. 108.227 (1) (d).  
5 Notwithstanding sub. (7) and s. 103.005 (10), an action taken under this subdivision  
6 is subject to review only as provided under s. 108.227 (5) and not as provided in sub.  
7 (7) and ch. 227.

8           2. If the department denies an application or revokes a certificate under subd.  
9 1., the department shall mail a notice of denial or revocation to the applicant or  
10 house-to-house employer. The notice shall include a statement of the facts that  
11 warrant the denial or revocation and a statement that the applicant or  
12 house-to-house employer may, within 30 days after the date on which the notice of  
13 denial or revocation is mailed, file a written request with the department to have the  
14 determination that the applicant or house-to-house employer is liable for  
15 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

16           3. If, after a hearing under s. 108.227 (5) (a), the department affirms a  
17 determination under subd. 1. that an applicant or house-to-house employer is liable  
18 for delinquent contributions, the department shall affirm its denial or revocation.  
19 An applicant or house-to-house employer may seek judicial review under s. 108.227  
20 (6) of an affirmation by the department of a denial or revocation under this  
21 subdivision.

22           4. If, after a hearing under s. 108.227 (5) (a), the department determines that  
23 a person whose certificate is revoked or whose application is denied under subd. 1.  
24 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the  
25 department shall reinstate the certificate or approve the application, unless there



1 are other grounds for revocation or denial. The department may not charge a fee for  
2 reinstatement of a certificate under this subdivision.

3 **SECTION 36.** 103.275 (7) (b) of the statutes is amended to read:

4 103.275 (7) (b) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), after  
5 providing at least 10 days' notice to a house-to-house employer, the department may,  
6 on its own or upon a written and signed complaint, suspend the house-to-house  
7 employer's certificate. The department shall serve a copy of the complaint with  
8 notice of a suspension of the certificate on the person complained against, and the  
9 person shall file an answer to the complaint with the department and the  
10 complainant within 10 days after service. After receiving the answer, the  
11 department shall set the matter for hearing as promptly as possible and within 30  
12 days after the date of filing the complaint. Either party may appear at the hearing  
13 in person or by attorney or agent. The department shall make its findings and  
14 determination concerning the suspension within 90 days after the date that the  
15 hearing is concluded and send a copy to each interested party.

16 **SECTION 37.** 103.275 (7) (c) of the statutes is amended to read:

17 103.275 (7) (c) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), the  
18 department may revoke a certificate issued under sub. (2) after holding a public  
19 hearing at a place designated by the department. At least 10 days prior to the  
20 revocation hearing, the department shall send written notice of the time and place  
21 of the revocation hearing to the person holding the certificate and to the person's  
22 attorney or agent of record by mailing the notice to their last-known address. The  
23 testimony presented and proceedings at the revocation hearing shall be recorded and  
24 preserved as the records of the department. The department shall, as soon after the

1 hearing as possible, make its findings and determination concerning revocation and  
2 send a copy to each interested party.

3 **SECTION 38.** 103.34 (3) (c) of the statutes is amended to read:

4 103.34 (3) (c) Subject to par. (d) and sub. (10) (b) ~~and, (c), and (d)~~, after  
5 completing the investigation under par. (b), the department shall issue a certificate  
6 of registration to the applicant if the department determines that the applicant  
7 meets the minimum requirements under this section and rules promulgated under  
8 sub. (13) for issuance of a certificate of registration and is satisfied that the applicant  
9 will comply with this section and those rules.

10 **SECTION 39.** 103.34 (10) (title) of the statutes is amended to read:

11 103.34 (10) (title) CHILD SUPPORT; DELINQUENT TAXES OR UNEMPLOYMENT  
12 INSURANCE CONTRIBUTIONS.

13 **SECTION 40.** 103.34 (10) (d) of the statutes is created to read:

14 103.34 (10) (d) 1. The department may deny an application for the issuance or  
15 renewal of a certificate of registration, or revoke a certificate of registration already  
16 issued, if the department determines that the applicant or registrant is liable for  
17 delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005  
18 (10), an action taken under this subdivision is subject to review only as provided  
19 under s. 108.227 (5) and not as provided in ch. 227.

20 2. If the department denies an application or revokes a certificate of  
21 registration under subd. 1., the department shall mail a notice of denial or revocation  
22 to the applicant or registrant. The notice shall include a statement of the facts that  
23 warrant the denial or revocation and a statement that the applicant or registrant  
24 may, within 30 days after the date on which the notice of denial or revocation is  
25 mailed, file a written request with the department to have the determination that

1 the applicant or registrant is liable for delinquent contributions reviewed at a  
2 hearing under s. 108.227 (5) (a).

3 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a  
4 determination under subd. 1. that an applicant or registrant is liable for delinquent  
5 contributions, the department shall affirm its denial or revocation. An applicant or  
6 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the  
7 department of a denial or revocation under this subdivision.

8 4. If, after a hearing under s. 108.227 (5) (a), the department determines that  
9 a person whose certificate of registration is revoked or whose application is denied  
10 under subd. 1. is not liable for delinquent contributions, as defined in s. 108.227 (1)  
11 (d), the department shall reinstate the certificate of registration or approve the  
12 application, unless there are other grounds for revocation or denial. The department  
13 may not charge a fee for reinstatement of a certificate under this subdivision.

14 **SECTION 41.** 103.91 (4) (d) of the statutes is created to read:

15 103.91 (4) (d) 1. The department may deny an application for the issuance or  
16 renewal of a certificate of registration under sub. (1), or revoke such a certificate  
17 already issued, if the department determines that the applicant or registrant is  
18 liable for delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding  
19 s. 103.005 (10), an action taken under this subdivision is subject to review only as  
20 provided under s. 108.227 (5) and not as provided in ch. 227.

21 2. If the department denies an application or revokes a certificate of  
22 registration under subd. 1., the department shall mail a notice of denial or revocation  
23 to the applicant or registrant. The notice shall include a statement of the facts that  
24 warrant the denial or revocation and a statement that the applicant or registrant  
25 may, within 30 days after the date on which the notice of denial or revocation is

1 mailed, file a written request with the department to have the determination that  
2 the applicant or registrant is liable for delinquent contributions reviewed at a  
3 hearing under s. 108.227 (5) (a).

4 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a  
5 determination under subd. 1. that an applicant or registrant is liable for delinquent  
6 contributions, the department shall affirm its denial or revocation. An applicant or  
7 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the  
8 department of a denial or revocation under this subdivision.

9 4. If, after a hearing under s. 108.227 (5) (a), the department determines that  
10 a person whose certificate is revoked or whose application is denied under subd. 1.  
11 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the  
12 department shall reinstate the certificate or approve the application, unless there  
13 are other grounds for revocation or denial. The department may not charge a fee for  
14 reinstatement of a certificate under this subdivision.

15 **SECTION 42.** 103.92 (3) of the statutes is amended to read:

16 103.92 (3) CERTIFICATE. The department shall inspect each camp for which  
17 application to operate is made, to determine if it is in compliance with the rules of  
18 the department establishing minimum standards for migrant labor camps. Except  
19 as provided under subs. (6) ~~and~~, (7), and (8), if the department finds that the camp  
20 is in compliance with the rules, it shall issue a certificate authorizing the camp to  
21 operate until March 31 of the next year. The department shall refuse to issue a  
22 certificate if it finds that the camp is in violation of such rules, if the person  
23 maintaining the camp has failed to pay court-ordered payments as provided in sub.  
24 (6) or if the person maintaining the camp is liable for delinquent taxes as provided

1 in sub. (7) or delinquent unemployment insurance contributions as provided in sub.  
2 (8).

3 **SECTION 43.** 103.92 (8) of the statutes is created to read:

4 103.92 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

5 (a) The department may deny an application for the issuance or renewal of a  
6 certificate to operate a migrant labor camp, or revoke such a certificate already  
7 issued, if the department determines that the applicant or person operating the  
8 camp is liable for delinquent contributions, as defined in s. 108.227 (1) (d).  
9 Notwithstanding s. 103.005 (10), an action taken under this paragraph is subject to  
10 review only as provided under s. 108.227 (5) and not as provided in ch. 227.

11 (b) If the department denies an application or revokes a certificate under par.  
12 (a), the department shall mail a notice of denial or revocation to the applicant or  
13 person operating the camp. The notice shall include a statement of the facts that  
14 warrant the denial or revocation and a statement that the applicant or person  
15 operating the camp may, within 30 days after the date on which the notice of denial  
16 or revocation is mailed, file a written request with the department to have the  
17 determination that the applicant or person operating the camp is liable for  
18 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

19 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a  
20 determination under par. (a) that an applicant or person operating a camp is liable  
21 for delinquent contributions, the department shall affirm its denial or revocation.  
22 An applicant or person operating a camp may seek judicial review under s. 108.227  
23 (6) of an affirmation by the department of a denial or revocation under this  
24 paragraph.

1 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that  
2 a person whose certificate is revoked or whose application is denied under par. (a) is  
3 not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the  
4 department shall reinstate the certificate or approve the application, unless there  
5 are other grounds for revocation or denial. The department may not charge a fee for  
6 reinstatement of a certificate under this paragraph.

7 **SECTION 44.** 104.07 (1) and (2) of the statutes are amended to read:

8 104.07 (1) The department shall make rules, and, except as provided under  
9 subs. (5) ~~and (6)~~, and (7), grant licenses to any employer who employs any employee  
10 who is unable to earn the living wage determined by the department, permitting the  
11 employee to work for a wage that is commensurate with the employee's ability. Each  
12 license so granted shall establish a wage for the licensee.

13 (2) The department shall make rules, and, except as provided under subs. (5)  
14 ~~and (6)~~, and (7), grant licenses to sheltered workshops, to permit the employment  
15 of workers with disabilities who are unable to earn the living wage at a wage that  
16 is commensurate with their ability and productivity. A license granted to a sheltered  
17 workshop under this subsection may be issued for the entire workshop or a  
18 department of the workshop.

19 **SECTION 45.** 104.07 (7) of the statutes is created to read:

20 104.07 (7) (a) The department may deny an application for the issuance or  
21 renewal of a license under sub. (1) or (2), or revoke such a license already issued, if  
22 the department determines that the applicant or licensee is liable for delinquent  
23 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an  
24 action taken under this paragraph is subject to review only as provided under s.  
25 108.227 (5) and not as provided in ch. 227.

1 (b) If the department denies an application or revokes a license under par. (a),  
2 the department shall mail a notice of denial or revocation to the applicant or licensee.  
3 The notice shall include a statement of the facts that warrant the denial or revocation  
4 and a statement that the applicant or licensee may, within 30 days after the date on  
5 which the notice of denial or revocation is mailed, file a written request with the  
6 department to have the determination that the applicant or licensee is liable for  
7 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

8 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a  
9 determination under par. (a) that an applicant or licensee is liable for delinquent  
10 contributions, the department shall affirm its denial or revocation. An applicant or  
11 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the  
12 department of a denial or revocation under this paragraph.

13 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that  
14 a person whose license is revoked or whose application is denied under par. (a) is not  
15 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department  
16 shall reinstate the license or approve the application, unless there are other grounds  
17 for revocation or denial. The department may not charge a fee for reinstatement of  
18 a license under this paragraph.

19 **SECTION 46.** 105.13 (1) of the statutes is amended to read:

20 105.13 (1) The department may issue licenses to employment agents, and  
21 refuse to issue a license whenever, after investigation, the department finds that the  
22 character of the applicant makes the applicant unfit to be an employment agent, that  
23 the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that  
24 the applicant is liable for delinquent taxes as provided in sub. (3), or that the  
25 applicant is liable for delinquent unemployment insurance contributions as

1 provided in sub. (4), or when the premises for conducting the business of an  
2 employment agent is found upon investigation to be unfit for such use. Any license  
3 granted by the department may be suspended or revoked by it upon notice to the  
4 licensee and good cause. Failure to comply with this chapter and rules promulgated  
5 thereunder, or with any lawful orders of the department, is cause to suspend or  
6 revoke a license. Failure to pay court-ordered payments as provided in sub. (2) is  
7 cause to deny, suspend, restrict, refuse to renew or otherwise withhold a license.  
8 Liability for delinquent taxes as provided in sub. (3) or delinquent unemployment  
9 insurance contributions as provided in sub. (4) is cause to deny or revoke a license.

10 **SECTION 47.** 105.13 (4) of the statutes is created to read:

11 105.13 (4) (a) The department may deny an application for the issuance or  
12 renewal of an employment agent's license, or revoke such a license already issued,  
13 if the department determines that the applicant or licensee is liable for delinquent  
14 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an  
15 action taken under this paragraph is subject to review only as provided under s.  
16 108.227 (5) and not as provided in ch. 227.

17 (b) If the department denies an application or revokes a license under par. (a),  
18 the department shall mail a notice of denial or revocation to the applicant or licensee.  
19 The notice shall include a statement of the facts that warrant the denial or revocation  
20 and a statement that the applicant or licensee may, within 30 days after the date on  
21 which the notice of denial or revocation is mailed, file a written request with the  
22 department to have the determination that the applicant or licensee is liable for  
23 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

24 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a  
25 determination under par. (a) that an applicant or licensee is liable for delinquent



1 contributions, the department shall affirm its denial or revocation. An applicant or  
2 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the  
3 department of a denial or revocation under this paragraph.

4 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that  
5 a person whose license is revoked or whose application is denied under par. (a) is not  
6 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department  
7 shall reinstate the license or approve the application, unless there are other grounds  
8 for revocation or denial. The department may not charge a fee for reinstatement of  
9 a license under this paragraph.

10 **SECTION 48.** 108.02 (4m) (a) of the statutes is amended to read:

11 108.02 (4m) (a) All earnings for wage-earning service which are paid to an  
12 employee during his or her base period as a result of employment for an employer  
13 except any payment made to or on behalf of an employee or his or her beneficiary  
14 under a cafeteria plan within the meaning of 26 USC 125, if the payment would not  
15 be treated as wages without regard to that plan and if 26 USC 125 would not treat  
16 the payment as constructively received;

17 **SECTION 49.** 108.02 (4m) (g) of the statutes is repealed.

18 **SECTION 50.** 108.02 (13) (a) of the statutes is amended to read:

19 108.02 (13) (a) “Employer” means every government unit and Indian tribe, and  
20 any person, association, corporation, whether domestic or foreign, or legal  
21 representative, debtor in possession or trustee in bankruptcy or receiver or trustee  
22 of a person, partnership, association, or corporation, or guardian of the estate of a  
23 person, or legal representative of a deceased person, any partnership or partnerships  
24 consisting of the same partners, except as provided in par. (L), any limited liability  
25 company or ~~limited liability companies consisting of the same members, except as~~

1 ~~provided in par. (kL)~~, and any fraternal benefit society as defined in s. 614.01 (1) (a),  
2 which is subject to this chapter under the statutes of 1975, or which has had  
3 employment in this state and becomes subject to this chapter under this subsection  
4 and, notwithstanding any other provisions of this section, any service insurance  
5 corporation organized or operating under ch. 613, except as provided in s. 108.152  
6 (6) (a) 3.

7 **SECTION 51.** 108.02 (13) (kL) of the statutes is repealed.

8 **SECTION 52.** 108.02 (15m) (intro.) of the statutes is amended to read:

9 108.02 (15m) FAMILY CORPORATION. (intro.) ~~Except as provided in s. 108.04 (7)~~  
10 (r), “family Family corporation” means:

11 **SECTION 53.** 108.04 (1) (g) (intro.) of the statutes is amended to read:

12 108.04 (1) (g) (intro.) ~~Except as provided in par. (gm) and s. 108.06 (7) (d)~~, the  
13 base period wages utilized to compute total benefits payable to an individual under  
14 s. 108.06 (1) as a result of the following employment shall not exceed 10 times the  
15 individual’s weekly benefit rate based solely on that employment under s. 108.05 (1):

16 **SECTION 54.** 108.04 (1) (hm) of the statutes is amended to read:

17 108.04 (1) (hm) The department may require any claimant to appear before it  
18 and to answer truthfully, orally or in writing, any questions relating to the claimant’s  
19 eligibility for benefits ~~and~~ or to provide such demographic information as may be  
20 necessary to permit the department to conduct a statistically valid sample audit of  
21 compliance with this chapter. A claimant is not eligible to receive benefits for any  
22 week in which the claimant fails to comply with a request by the department to  
23 provide the information required under this paragraph, or any subsequent week,  
24 until the claimant complies or satisfies the department that he or she ~~had~~ has good  
25 cause for failure to comply with a request of the department under this paragraph.

1 If a claimant later complies with a request by the department ~~or~~ and satisfies the  
2 department that he or she ~~had~~ has good cause for failure to comply with a the request,  
3 the claimant is eligible to receive benefits ~~as of~~ beginning with the week in which the  
4 failure occurred, if otherwise qualified. If a claimant later complies with a request  
5 by the department but does not have good cause for the initial failure to comply with  
6 the request, the claimant is eligible only to receive benefits beginning with the week  
7 in which the claimant complies with the request, if otherwise qualified.

8 **SECTION 55.** 108.04 (2) (a) 2. of the statutes is amended to read:

9 108.04 (2) (a) 2. As of that week, the individual has registered for work; ~~and~~  
10 as directed by the department;

11 **SECTION 56.** 108.04 (2) (a) 2. of the statutes, as affected by 2013 Wisconsin Acts  
12 .... (Assembly Bill 15) and .... (this act), is repealed and recreated to read:

13 108.04 (2) (a) 2. Except as provided in s. 108.062 (10m), as of that week, the  
14 individual has registered for work as directed by the department;

15 **SECTION 57.** 108.04 (2) (a) 3. (intro.) of the statutes is amended to read:

16 108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for  
17 suitable work during that week, unless the search requirement is waived under par.  
18 (b). The search for suitable work must include ~~2~~ at least 4 actions per week that  
19 constitute a reasonable search as prescribed by rule of the department. This  
20 subdivision does not apply to an individual if the department determines that the  
21 individual is currently laid off from employment with an employer but there is a  
22 reasonable expectation of reemployment of the individual by that employer. In  
23 determining whether the individual has a reasonable expectation of reemployment  
24 by an employer, the department shall request the employer to verify the individual's  
25 employment status and shall also consider other factors, including:

**SECTION 58**

1           **SECTION 58.** 108.04 (2) (a) 3. (intro.) of the statutes, as affected by 2013  
2 Wisconsin Acts .... (Assembly Bill 15) and .... (this act), is repealed and recreated to  
3 read:

4           108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for  
5 suitable work during that week, unless the search requirement is waived under par.  
6 (b) or s. 108.062 (10m). The search for suitable work must include at least 4 actions  
7 per week that constitute a reasonable search as prescribed by rule of the department.  
8 This subdivision does not apply to an individual if the department determines that  
9 the individual is currently laid off from employment with an employer but there is  
10 a reasonable expectation of reemployment of the individual by that employer. In  
11 determining whether the individual has a reasonable expectation of reemployment  
12 by an employer, the department shall request the employer to verify the individual's  
13 employment status and shall also consider other factors, including:

14           **SECTION 59.** 108.04 (2) (a) 3. c. of the statutes is amended to read:

15           108.04 (2) (a) 3. c. Whether the individual has recall rights with the employer  
16 under the terms of any applicable collective bargaining agreement;

17           **SECTION 60.** 108.04 (2) (a) 4. and 5. of the statutes are created to read:

18           108.04 (2) (a) 4. The claimant provides information or job application materials  
19 that are requested by the department; and

(i)

20           5. The claimant participates in a public employment office workshop or  
21 training program or in similar reemployment services that are required by the  
22 department under sub. (15) (a) 2.

23           **SECTION 61.** 108.04 (2) (a) 1. of the statutes is created to read:

24           108.04 (2) (a) 1. There is a rebuttable presumption that a claimant who is  
25 subject to the requirement under par. (a) 3. to conduct a reasonable search for

INS  
33-22  
24  
25  
30-23  
J

X

1 suitable work has not conducted a reasonable search for suitable work in a given  
2 week if all of the following apply:

3 a. The claimant was last employed by a temporary help company.

4 b. During that week, the claimant did not contact the temporary help company  
5 for an assignment.

6 c. The temporary help company submits a notice to the department reporting  
7 that the claimant did not contact the company for an assignment.

8 2. A claimant may only rebut the presumption under subd. 1. if the claimant  
9 demonstrates one of the following to the department for a given week:

10 a. That the claimant did contact the temporary help company for an  
11 assignment during that week.

12 b. That the claimant had good cause for his or her failure to contact the  
13 temporary help company for an assignment during that week.

14 3. If a claimant who was last employed by a temporary help company contacts  
15 the temporary help company during a given week for an assignment, that contact  
16 constitutes one action that constitutes a reasonable search for suitable work, for  
17 purposes of par. (a) 3.

18 **SECTION 62.** 108.04 (7) (a) of the statutes is amended to read:

19 108.04 (7) (a) If an employee terminates work with an employing unit, the  
20 employee is ineligible to receive benefits until ~~4 weeks have elapsed since the end~~  
21 ~~of the week in which the termination occurs and~~ the employee earns wages after the  
22 week in which the termination occurs equal to at least ~~4~~ 10 times the employee's  
23 weekly benefit rate under s. 108.05 (1) in employment or other work covered by the  
24 unemployment insurance law of any state or the federal government. For purposes  
25 of requalification, the employee's weekly benefit rate shall be that rate which would

1 have been paid had the termination not occurred. This paragraph does not preclude  
2 an employee from establishing a benefit year by using the base period wages paid by  
3 the employer from which the employee voluntarily terminated, if the employee is  
4 qualified to establish a benefit year under s. 108.06 (2) (a).

5 **SECTION 63.** 108.04 (7) (cm), (d), (g), (j), (k), (L), (m), (n), (o), (q) and (r) of the  
6 statutes are repealed.

7 **SECTION 64.** 108.04 (7) (e) of the statutes is amended to read:

8 108.04 (7) (e) Paragraph (a) does not apply if the department determines that  
9 the employee accepted work which the employee could have failed to accept with good  
10 cause under sub. (8) and terminated such work with the same good cause and within  
11 the first ~~10 weeks~~ 30 calendar days after starting the work, or that the employee  
12 accepted work which the employee could have refused under sub. (9) and terminated  
13 such work within the first ~~10 weeks~~ 30 calendar days after starting the work. For  
14 purposes of this paragraph, an employee has the same good cause for voluntarily  
15 terminating work if the employee could have failed to accept the work under sub. (8)  
16 (d) when it was offered, regardless of the reason articulated by the employee for the  
17 termination.

18 **SECTION 65.** 108.04 (7) (h) of the statutes is amended to read:

19 108.04 (7) (h) The department shall charge to the fund's balancing account  
20 benefits paid to an employee that are otherwise chargeable to the account of an  
21 employer that is subject to the contribution requirements of ss. 108.17 and 108.18  
22 if the employee voluntarily terminates employment with that employer and par. (a),  
23 (c), (d), (e), (k), (L), (o), (p), (q), (s), or (t) applies.

24 **SECTION 66.** 108.04 (7) (p) of the statutes is renumbered 108.04 (7) (p) (intro.)  
25 and amended to read:

1           108.04 (7) (p) (intro.) Paragraph (a) does not apply if the department  
2 determines that an employee, ~~while claiming benefits for partial unemployment,~~  
3 terminated work to accept employment or other work covered by the unemployment  
4 insurance law of any state or the federal government, if any of the following applies  
5 to that employment or work:

6           1. It offered an average weekly wage greater than the average weekly wage  
7 earned in the work terminated.

8           **SECTION 67.** 108.04 (7) (p) 2. and 3. of the statutes are created to read:

9           108.04 (7) (p) 2. It offered a greater number of hours of work than those  
10 performed in the work terminated.

11           3. It offered the opportunity for significantly longer term work.

12           **SECTION 68.** 108.04 (7) (t) of the statutes is renumbered 108.04 (7) (t) (intro.)  
13 and amended to read:

14           108.04 (7) (t) (intro.) Paragraph (a) does not apply if the department  
15 determines that the all of the following apply to an employee:

16           1. The employee's spouse changed his or her place of employment is a member  
17 of the U.S. armed forces on active duty.

18           2. The employee's spouse was required by the U.S. armed forces to relocate to  
19 a place to which it is impractical for the employee to commute and the

20           3. The employee terminated his or her work to accompany the spouse to that  
21 place.

22           **SECTION 69.** 108.04 (8) (a) and (c) of the statutes are amended to read:

23           108.04 (8) (a) If an employee fails, without good cause, to accept suitable work  
24 when offered, the employee is ineligible to receive benefits until ~~4~~ 10 weeks have  
25 elapsed since the end of the week in which the failure occurs and the employee earns

1 wages after the week in which the failure occurs equal to at least ~~4~~ 10 times the  
2 employee's weekly benefit rate under s. 108.05 (1) in employment or other work  
3 covered by the unemployment insurance law of any state or the federal government.  
4 For purposes of requalification, the employee's weekly benefit rate shall be that rate  
5 which would have been paid had the failure not occurred. This paragraph does not  
6 preclude an employee from establishing a benefit year during a period in which the  
7 employee is ineligible to receive benefits under this paragraph if the employee  
8 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall  
9 charge to the fund's balancing account any benefits otherwise chargeable to the  
10 account of an employer that is subject to the contribution requirements under ss.  
11 108.17 and 108.18 whenever an employee of that employer fails, without good cause,  
12 to accept suitable work offered by that employer.

13 (c) If an employee fails, without good cause, to return to work with a former  
14 employer that recalls the employee within 52 weeks after the employee last worked  
15 for that employer, the employee is ineligible to receive benefits until ~~4~~ 10 weeks have  
16 elapsed since the end of the week in which the failure occurs and the employee earns  
17 wages after the week in which the failure occurs equal to at least ~~4~~ 10 times the  
18 employee's weekly benefit rate under s. 108.05 (1) in employment or other work  
19 covered by the unemployment insurance law of any state or the federal government.  
20 For purposes of requalification, the employee's weekly benefit rate shall be that rate  
21 which would have been paid had the failure not occurred. This paragraph does not  
22 preclude an employee from establishing a benefit year during a period in which the  
23 employee is ineligible to receive benefits under this paragraph if the employee  
24 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall  
25 charge to the fund's balancing account any benefits otherwise chargeable to the



1 account of any employer that is subject to the contribution requirements under ss.  
2 108.17 and 108.18 whenever an employee of that employer fails, without good cause,  
3 to return to work with that employer. If an employee receives actual notice of a recall  
4 to work, par. (a) applies in lieu of this paragraph.

5 **SECTION 70.** 108.04 (15) of the statutes is created to read:

6 108.04 (15) DEPARTMENT POWERS TO ASSIST CLAIMANTS. (a) Except as provided  
7 in par. (b), the department may do any of the following for the purpose of assisting  
8 claimants to find or obtain work:

9 1. Use the information or materials provided under sub. (2) (a) 4. to assess a  
10 claimant's efforts, skills, and ability to find or obtain work and to develop a list of  
11 potential opportunities for a claimant to obtain suitable work. A claimant who  
12 otherwise satisfies the requirement under sub. (2) (a) 3. is not required to apply for  
13 any specific positions on the list in order to satisfy that requirement.

14 2. Require a claimant to participate in a public employment office workshop or  
15 training program or in similar reemployment services that do not charge the  
16 claimant a participation fee and that offer instruction to improve the claimant's  
17 ability to obtain suitable work.

18 (b) This subsection does not apply with respect to a claimant who is exempt  
19 from any of the requirements in sub. (2) (a) 2. or 3. in a given week.

20 **SECTION 71.** 108.05 (1) (n) to (p) of the statutes are repealed.

21 **SECTION 72.** 108.05 (1) (q) (intro.) of the statutes is amended to read:

22 108.05 (1) (q) (intro.) Each eligible employee shall be paid benefits for each  
23 week of total unemployment that commences on or after January 4, 2009, and before  
24 January 5, 2014, at the weekly benefit rate specified in this paragraph. Unless sub.  
25 (1m) applies, the weekly benefit rate shall equal 4 percent of the employee's base

JWS  
41-41

1 period wages that were paid during that quarter of the employee's base period in  
2 which the employee was paid the highest total wages, rounded down to the nearest  
3 whole dollar, except that, if that amount is less than the minimum amount shown  
4 in the following schedule, no benefits are payable to the employee and, if that amount  
5 is more than the maximum amount shown in the following schedule, the employee's  
6 weekly benefit rate shall be the maximum amount shown in the following schedule  
7 and except that, if the employee's benefits are exhausted during any week under s.  
8 108.06 (1), the employee shall be paid the remaining amount of benefits payable to  
9 the employee in lieu of the amount shown in the following schedule: [See Figure  
10 108.05 (1) (q) following]

11 **SECTION 73.** 108.05 (1) (q) (intro.) of the statutes, as affected by 2013 Wisconsin  
12 Acts .... (Assembly Bill 15) and .... (this act), is repealed and recreated to read:

13 108.05 (1) (q) (intro.) Except as provided in s. 108.062 (6) (a), each eligible  
14 employee shall be paid benefits for each week of total unemployment that  
15 commences on or after January 4, 2009, and before January 5, 2014, at the weekly  
16 benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit  
17 rate shall equal 4 percent of the employee's base period wages that were paid during  
18 that quarter of the employee's base period in which the employee was paid the  
19 highest total wages, rounded down to the nearest whole dollar, except that, if that  
20 amount is less than the minimum amount shown in the following schedule, no  
21 benefits are payable to the employee and, if that amount is more than the maximum  
22 amount shown in the following schedule, the employee's weekly benefit rate shall be  
23 the maximum amount shown in the following schedule and except that, if the  
24 employee's benefits are exhausted during any week under s. 108.06 (1), the employee

1 shall be paid the remaining amount of benefits payable to the employee in lieu of the  
2 amount shown in the following schedule: [See Figure 108.05 (1) (q) following]

3 **SECTION 74.** 108.05 (1) (r) of the statutes is created to read:

4 108.05 (1) (r) Each eligible employee shall be paid benefits for each week of total  
5 unemployment that commences on or after January 5, 2014, at the weekly benefit  
6 rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate  
7 shall equal 4 percent of the employee’s base period wages that were paid during that  
8 quarter of the employee’s base period in which the employee was paid the highest  
9 total wages, rounded down to the nearest whole dollar, except that, if that amount  
10 is less than the minimum amount shown in the following schedule, no benefits are  
11 payable to the employee and, if that amount is more than the maximum amount  
12 shown in the following schedule, the employee’s weekly benefit rate shall be the  
13 maximum amount shown in the following schedule and except that, if the employee’s  
14 benefits are exhausted during any week under s. 108.06 (1), the employee shall be  
15 paid the remaining amount of benefits payable to the employee in lieu of the amount  
16 shown in the following schedule: [See Figure 108.05 (1) (r) following]

---

**Figure 108.05 (1) (r):**

---

| <b>Line</b> | <b>Highest<br/>Quarterly<br/>Wages Paid</b> |             | <b>Weekly<br/>Benefit<br/>Rate</b> |
|-------------|---|-------------|------------------------------------|
| 1. ....     | Under                                       | \$1,375.00  | \$ 0                               |
| 2. ....     | 1,375.00                                    | to 1,399.99 | 55                                 |
| 3. ....     | 1,400.00                                    | to 1,424.99 | 56                                 |
| 4. ....     | 1,425.00                                    | to 1,449.99 | 57                                 |

**SECTION 74**

|     |          |    |          |    |
|-----|----------|----|----------|----|
| 5.  | 1,450.00 | to | 1,474.99 | 58 |
| 6.  | 1,475.00 | to | 1,499.99 | 59 |
| 7.  | 1,500.00 | to | 1,524.99 | 60 |
| 8.  | 1,525.00 | to | 1,549.99 | 61 |
| 9.  | 1,550.00 | to | 1,574.99 | 62 |
| 10. | 1,575.00 | to | 1,599.99 | 63 |
| 11. | 1,600.00 | to | 1,624.99 | 64 |
| 12. | 1,625.00 | to | 1,649.99 | 65 |
| 13. | 1,650.00 | to | 1,674.99 | 66 |
| 14. | 1,675.00 | to | 1,699.99 | 67 |
| 15. | 1,700.00 | to | 1,724.99 | 68 |
| 16. | 1,725.00 | to | 1,749.99 | 69 |
| 17. | 1,750.00 | to | 1,774.99 | 70 |
| 18. | 1,775.00 | to | 1,799.99 | 71 |
| 19. | 1,800.00 | to | 1,824.99 | 72 |
| 20. | 1,825.00 | to | 1,849.99 | 73 |
| 21. | 1,850.00 | to | 1,874.99 | 74 |
| 22. | 1,875.00 | to | 1,899.99 | 75 |
| 23. | 1,900.00 | to | 1,924.99 | 76 |
| 24. | 1,925.00 | to | 1,949.99 | 77 |
| 25. | 1,950.00 | to | 1,974.99 | 78 |
| 26. | 1,975.00 | to | 1,999.99 | 79 |
| 27. | 2,000.00 | to | 2,024.99 | 80 |
| 28. | 2,025.00 | to | 2,049.99 | 81 |

|     |       |          |    |          |       |     |
|-----|-------|----------|----|----------|-------|-----|
| 29. | ..... | 2,050.00 | to | 2,074.99 | ..... | 82  |
| 30. | ..... | 2,075.00 | to | 2,099.99 | ..... | 83  |
| 31. | ..... | 2,100.00 | to | 2,124.99 | ..... | 84  |
| 32. | ..... | 2,125.00 | to | 2,149.99 | ..... | 85  |
| 33. | ..... | 2,150.00 | to | 2,174.99 | ..... | 86  |
| 34. | ..... | 2,175.00 | to | 2,199.99 | ..... | 87  |
| 35. | ..... | 2,200.00 | to | 2,224.99 | ..... | 88  |
| 36. | ..... | 2,225.00 | to | 2,249.99 | ..... | 89  |
| 37. | ..... | 2,250.00 | to | 2,274.99 | ..... | 90  |
| 38. | ..... | 2,275.00 | to | 2,299.99 | ..... | 91  |
| 39. | ..... | 2,300.00 | to | 2,324.99 | ..... | 92  |
| 40. | ..... | 2,325.00 | to | 2,349.99 | ..... | 93  |
| 41. | ..... | 2,350.00 | to | 2,374.99 | ..... | 94  |
| 42. | ..... | 2,375.00 | to | 2,399.99 | ..... | 95  |
| 43. | ..... | 2,400.00 | to | 2,424.99 | ..... | 96  |
| 44. | ..... | 2,425.00 | to | 2,449.99 | ..... | 97  |
| 45. | ..... | 2,450.00 | to | 2,474.99 | ..... | 98  |
| 46. | ..... | 2,475.00 | to | 2,499.99 | ..... | 99  |
| 47. | ..... | 2,500.00 | to | 2,524.99 | ..... | 100 |
| 48. | ..... | 2,525.00 | to | 2,549.99 | ..... | 101 |
| 49. | ..... | 2,550.00 | to | 2,574.99 | ..... | 102 |
| 50. | ..... | 2,575.00 | to | 2,599.99 | ..... | 103 |
| 51. | ..... | 2,600.00 | to | 2,624.99 | ..... | 104 |
| 52. | ..... | 2,625.00 | to | 2,649.99 | ..... | 105 |

**SECTION 74**

|     |       |          |    |          |       |     |
|-----|-------|----------|----|----------|-------|-----|
| 53. | ..... | 2,650.00 | to | 2,674.99 | ..... | 106 |
| 54. | ..... | 2,675.00 | to | 2,699.99 | ..... | 107 |
| 55. | ..... | 2,700.00 | to | 2,724.99 | ..... | 108 |
| 56. | ..... | 2,725.00 | to | 2,749.99 | ..... | 109 |
| 57. | ..... | 2,750.00 | to | 2,774.99 | ..... | 110 |
| 58. | ..... | 2,775.00 | to | 2,799.99 | ..... | 111 |
| 59. | ..... | 2,800.00 | to | 2,824.99 | ..... | 112 |
| 60. | ..... | 2,825.00 | to | 2,849.99 | ..... | 113 |
| 61. | ..... | 2,850.00 | to | 2,874.99 | ..... | 114 |
| 62. | ..... | 2,875.00 | to | 2,899.99 | ..... | 115 |
| 63. | ..... | 2,900.00 | to | 2,924.99 | ..... | 116 |
| 64. | ..... | 2,925.00 | to | 2,949.99 | ..... | 117 |
| 65. | ..... | 2,950.00 | to | 2,974.99 | ..... | 118 |
| 66. | ..... | 2,975.00 | to | 2,999.99 | ..... | 119 |
| 67. | ..... | 3,000.00 | to | 3,024.99 | ..... | 120 |
| 68. | ..... | 3,025.00 | to | 3,049.99 | ..... | 121 |
| 69. | ..... | 3,050.00 | to | 3,074.99 | ..... | 122 |
| 70. | ..... | 3,075.00 | to | 3,099.99 | ..... | 123 |
| 71. | ..... | 3,100.00 | to | 3,124.99 | ..... | 124 |
| 72. | ..... | 3,125.00 | to | 3,149.99 | ..... | 125 |
| 73. | ..... | 3,150.00 | to | 3,174.99 | ..... | 126 |
| 74. | ..... | 3,175.00 | to | 3,199.99 | ..... | 127 |
| 75. | ..... | 3,200.00 | to | 3,224.99 | ..... | 128 |
| 76. | ..... | 3,225.00 | to | 3,249.99 | ..... | 129 |

|      |       |          |    |          |       |     |
|------|-------|----------|----|----------|-------|-----|
| 77.  | ..... | 3,250.00 | to | 3,274.99 | ..... | 130 |
| 78.  | ..... | 3,275.00 | to | 3,299.99 | ..... | 131 |
| 79.  | ..... | 3,300.00 | to | 3,324.99 | ..... | 132 |
| 80.  | ..... | 3,325.00 | to | 3,349.99 | ..... | 133 |
| 81.  | ..... | 3,350.00 | to | 3,374.99 | ..... | 134 |
| 82.  | ..... | 3,375.00 | to | 3,399.99 | ..... | 135 |
| 83.  | ..... | 3,400.00 | to | 3,424.99 | ..... | 136 |
| 84.  | ..... | 3,425.00 | to | 3,449.99 | ..... | 137 |
| 85.  | ..... | 3,450.00 | to | 3,474.99 | ..... | 138 |
| 86.  | ..... | 3,475.00 | to | 3,499.99 | ..... | 139 |
| 87.  | ..... | 3,500.00 | to | 3,524.99 | ..... | 140 |
| 88.  | ..... | 3,525.00 | to | 3,549.99 | ..... | 141 |
| 89.  | ..... | 3,550.00 | to | 3,574.99 | ..... | 142 |
| 90.  | ..... | 3,575.00 | to | 3,599.99 | ..... | 143 |
| 91.  | ..... | 3,600.00 | to | 3,624.99 | ..... | 144 |
| 92.  | ..... | 3,625.00 | to | 3,649.99 | ..... | 145 |
| 93.  | ..... | 3,650.00 | to | 3,674.99 | ..... | 146 |
| 94.  | ..... | 3,675.00 | to | 3,699.99 | ..... | 147 |
| 95.  | ..... | 3,700.00 | to | 3,724.99 | ..... | 148 |
| 96.  | ..... | 3,725.00 | to | 3,749.99 | ..... | 149 |
| 97.  | ..... | 3,750.00 | to | 3,774.99 | ..... | 150 |
| 98.  | ..... | 3,775.00 | to | 3,799.99 | ..... | 151 |
| 99.  | ..... | 3,800.00 | to | 3,824.99 | ..... | 152 |
| 100. | ..... | 3,825.00 | to | 3,849.99 | ..... | 153 |

|      |       |          |    |          |       |     |
|------|-------|----------|----|----------|-------|-----|
| 101. | ..... | 3,850.00 | to | 3,874.99 | ..... | 154 |
| 102. | ..... | 3,875.00 | to | 3,899.99 | ..... | 155 |
| 103. | ..... | 3,900.00 | to | 3,924.99 | ..... | 156 |
| 104. | ..... | 3,925.00 | to | 3,949.99 | ..... | 157 |
| 105. | ..... | 3,950.00 | to | 3,974.99 | ..... | 158 |
| 106. | ..... | 3,975.00 | to | 3,999.99 | ..... | 159 |
| 107. | ..... | 4,000.00 | to | 4,024.99 | ..... | 160 |
| 108. | ..... | 4,025.00 | to | 4,049.99 | ..... | 161 |
| 109. | ..... | 4,050.00 | to | 4,074.99 | ..... | 162 |
| 110. | ..... | 4,075.00 | to | 4,099.99 | ..... | 163 |
| 111. | ..... | 4,100.00 | to | 4,124.99 | ..... | 164 |
| 112. | ..... | 4,125.00 | to | 4,149.99 | ..... | 165 |
| 113. | ..... | 4,150.00 | to | 4,174.99 | ..... | 166 |
| 114. | ..... | 4,175.00 | to | 4,199.99 | ..... | 167 |
| 115. | ..... | 4,200.00 | to | 4,224.99 | ..... | 168 |
| 116. | ..... | 4,225.00 | to | 4,249.99 | ..... | 169 |
| 117. | ..... | 4,250.00 | to | 4,274.99 | ..... | 170 |
| 118. | ..... | 4,275.00 | to | 4,299.99 | ..... | 171 |
| 119. | ..... | 4,300.00 | to | 4,324.99 | ..... | 172 |
| 120. | ..... | 4,325.00 | to | 4,349.99 | ..... | 173 |
| 121. | ..... | 4,350.00 | to | 4,374.99 | ..... | 174 |
| 122. | ..... | 4,375.00 | to | 4,399.99 | ..... | 175 |
| 123. | ..... | 4,400.00 | to | 4,424.99 | ..... | 176 |
| 124. | ..... | 4,425.00 | to | 4,449.99 | ..... | 177 |



|      |       |          |    |          |       |     |
|------|-------|----------|----|----------|-------|-----|
| 125. | ..... | 4,450.00 | to | 4,474.99 | ..... | 178 |
| 126. | ..... | 4,475.00 | to | 4,499.99 | ..... | 179 |
| 127. | ..... | 4,500.00 | to | 4,524.99 | ..... | 180 |
| 128. | ..... | 4,525.00 | to | 4,549.99 | ..... | 181 |
| 129. | ..... | 4,550.00 | to | 4,574.99 | ..... | 182 |
| 130. | ..... | 4,575.00 | to | 4,599.99 | ..... | 183 |
| 131. | ..... | 4,600.00 | to | 4,624.99 | ..... | 184 |
| 132. | ..... | 4,625.00 | to | 4,649.99 | ..... | 185 |
| 133. | ..... | 4,650.00 | to | 4,674.99 | ..... | 186 |
| 134. | ..... | 4,675.00 | to | 4,699.99 | ..... | 187 |
| 135. | ..... | 4,700.00 | to | 4,724.99 | ..... | 188 |
| 136. | ..... | 4,725.00 | to | 4,749.99 | ..... | 189 |
| 137. | ..... | 4,750.00 | to | 4,774.99 | ..... | 190 |
| 138. | ..... | 4,775.00 | to | 4,799.99 | ..... | 191 |
| 139. | ..... | 4,800.00 | to | 4,824.99 | ..... | 192 |
| 140. | ..... | 4,825.00 | to | 4,849.99 | ..... | 193 |
| 141. | ..... | 4,850.00 | to | 4,874.99 | ..... | 194 |
| 142. | ..... | 4,875.00 | to | 4,899.99 | ..... | 195 |
| 143. | ..... | 4,900.00 | to | 4,924.99 | ..... | 196 |
| 144. | ..... | 4,925.00 | to | 4,949.99 | ..... | 197 |
| 145. | ..... | 4,950.00 | to | 4,974.99 | ..... | 198 |
| 146. | ..... | 4,975.00 | to | 4,999.99 | ..... | 199 |
| 147. | ..... | 5,000.00 | to | 5,024.99 | ..... | 200 |
| 148. | ..... | 5,025.00 | to | 5,049.99 | ..... | 201 |

|      |       |          |    |          |       |     |
|------|-------|----------|----|----------|-------|-----|
| 149. | ..... | 5,050.00 | to | 5,074.99 | ..... | 202 |
| 150. | ..... | 5,075.00 | to | 5,099.99 | ..... | 203 |
| 151. | ..... | 5,100.00 | to | 5,124.99 | ..... | 204 |
| 152. | ..... | 5,125.00 | to | 5,149.99 | ..... | 205 |
| 153. | ..... | 5,150.00 | to | 5,174.99 | ..... | 206 |
| 154. | ..... | 5,175.00 | to | 5,199.99 | ..... | 207 |
| 155. | ..... | 5,200.00 | to | 5,224.99 | ..... | 208 |
| 156. | ..... | 5,225.00 | to | 5,249.99 | ..... | 209 |
| 157. | ..... | 5,250.00 | to | 5,274.99 | ..... | 210 |
| 158. | ..... | 5,275.00 | to | 5,299.99 | ..... | 211 |
| 159. | ..... | 5,300.00 | to | 5,324.99 | ..... | 212 |
| 160. | ..... | 5,325.00 | to | 5,349.99 | ..... | 213 |
| 161. | ..... | 5,350.00 | to | 5,374.99 | ..... | 214 |
| 162. | ..... | 5,375.00 | to | 5,399.99 | ..... | 215 |
| 163. | ..... | 5,400.00 | to | 5,424.99 | ..... | 216 |
| 164. | ..... | 5,425.00 | to | 5,449.99 | ..... | 217 |
| 165. | ..... | 5,450.00 | to | 5,474.99 | ..... | 218 |
| 166. | ..... | 5,475.00 | to | 5,499.99 | ..... | 219 |
| 167. | ..... | 5,500.00 | to | 5,524.99 | ..... | 220 |
| 168. | ..... | 5,525.00 | to | 5,549.99 | ..... | 221 |
| 169. | ..... | 5,550.00 | to | 5,574.99 | ..... | 222 |
| 170. | ..... | 5,575.00 | to | 5,599.99 | ..... | 223 |
| 171. | ..... | 5,600.00 | to | 5,624.99 | ..... | 224 |
| 172. | ..... | 5,625.00 | to | 5,649.99 | ..... | 225 |