



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRBa1431/2  
ALL:ahc

**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 1038**

April 14, 2020 - Offered by Representatives HINTZ, HESSELBEIN, SPREITZER, DOYLE, SHANKLAND, BROSTOFF, EMERSON, HEBL, STUBBS, CABRERA, ZAMARRIPA, MILROY, ANDERSON, NEUBAUER, CROWLEY, RIEMER, OHNSTAD, GOYKE, SUBECK, POPE, KOLSTE, SARGENT, CONSIDINE, B. MEYERS, STUCK, FIELDS, VINING, BILLINGS, L. MYERS and SINICKI.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 8: after “pandemic” insert “and making an appropriation”.

3 **2.** Page 20, line 5: after that line insert:

4 “**SECTION 2m.** 20.380 (1) (b) of the statutes is amended to read:

5 20.380 (1) (b) *Tourism marketing; general purpose revenue.* Biennially, the  
6 amounts in the schedule for tourism marketing service expenses and the execution  
7 of the functions under ss. 41.11 (4) and (6) and 41.17. In each fiscal year, the  
8 department shall expend for tourism marketing service expenses and the execution  
9 of the functions under ss. 41.11 (4) and (6) and 41.17 an amount that bears the same  
10 proportion to the amount in the schedule for the fiscal year as the amount expended  
11 under par. (kg) in that fiscal year bears to the amount in the schedule for par. (kg)  
12 for that fiscal year. Of the amounts under this paragraph, not more than 50 percent

1 shall be used to match funds allocated under s. 41.17 by private or public  
2 organizations for the joint effort marketing of tourism with the state.”.

3 **3.** Page 23, line 21: after that line insert:

4 “**SECTION 14m.** 41.11 (6) of the statutes is created to read:

5 41.11 **(6)** REGIONAL DESTINATION MARKETING ORGANIZATION GRANT PROGRAM. The  
6 department shall administer a program to award grants from the appropriation  
7 under s. 20.380 (1) (b) to a regional destination marketing organization. The amount  
8 awarded under this subsection may not exceed \$2,000,000.”.

9 **4.** Page 56, line 15: delete “**testing**”.

10 **5.** Page 58, line 21: delete lines 21 to 25 and substitute:

11 “(b) Every disability insurance policy, and every self-insured health plan of the  
12 state or of a county, city, town, village, or school district, that generally covers testing  
13 and treatment for infectious diseases shall provide coverage of testing and treatment  
14 for COVID-19, including any prescription drugs, and administration of any  
15 vaccination developed to prevent COVID-19 without imposing any copayment or  
16 coinsurance on the individual covered under the policy or plan.”.

17 **6.** Page 60, line 9: delete “good faith”.

18 **7.** Page 60, line 10: delete “or are” and substitute “and are”.

19 **8.** Page 82, line 21: after that line insert:

20 “(17m) CHILD CARE GRANT PROGRAMS AND WISCONSIN SHARES.

21 (a) *Definitions.* In this subsection:

22 1. “Pandemic” means the pandemic resulting from the novel strain of  
23 coronavirus.

1           2. “Public health emergency” means the public health emergency declared on  
2           March 12, 2020, by executive order 72, including any extension under s. 323.10.

3           (b) *Critical workforce child care grant program.*

4           1. In this paragraph:

5           a. “Critical workforce member” means an employee, contractor, or other staff  
6           person working in a vital sector, including health care; child welfare; long-term care;  
7           residential care; pharmacy; child care; government operations; critical  
8           infrastructure, such as sanitation, transportation, utilities, telecommunications,  
9           grocery, and food services; supply chain operations; and other sectors as determined  
10          by the department of children and families.

11          b. “First responder” means an employee of or volunteer for an agency that  
12          provides fire fighting, law enforcement, medical, or other emergency services.

13          2. The department of children and families may make grants available to  
14          entities that employ, contract with, or have as volunteers critical workforce members  
15          to help pay for or reimburse critical child care costs. Eligible child care costs are those  
16          child care costs that are due to the pandemic and that are incurred during the public  
17          health emergency. Critical child care costs include the cost to establish a temporary  
18          facility to provide care and supervision for children of critical workforce members or  
19          the cost to pay for a slot in an existing facility that provides care and supervision of  
20          children. The department shall prioritize grants that assist health care workers and  
21          first responders and may award grants that assist other critical workforce members  
22          at its discretion.

23          3. The department of children and families may make grants available to child  
24          care providers certified under s. 48.651, child care centers licensed under s. 48.65,  
25          provisionally licensed under s. 48.69, or established or contracted for under s. 120.13

1 (14), and individual educators to pay for providing care and supervision for children  
2 of critical workforce members during the public health emergency. The department  
3 shall prioritize grants that assist health care workers and first responders and may  
4 award grants that assist other critical workforce members at its discretion.

5 (c) *Grant program for child care hazard pay.* The department of children and  
6 families may make monthly grants available to child care providers certified under  
7 s. 48.651, child care centers licensed under s. 48.65, provisionally licensed under s.  
8 48.69, or established or contracted for under s. 120.13 (14), and individual educators  
9 to pay for providing hazard pay to employees who work during the public health  
10 emergency. Whether or not a child care center, child care provider, or individual  
11 educator provides child care services to individuals who are eligible for subsidies  
12 under s. 49.155 does not impact eligibility for grants under this paragraph.

13 (d) *Grant program for closure of child care centers or providers.* The  
14 department of children and families may make monthly grants available to child  
15 care providers certified under s. 48.651 and child care centers licensed under s. 48.65,  
16 provisionally licensed under s. 48.69, or established or contracted for under s. 120.13  
17 (14) that cease operating because of the pandemic during the public health  
18 emergency. Grants under this paragraph may be made only to cover costs of lost  
19 revenue from child care services that would otherwise have been provided to  
20 individuals who are not eligible for child care subsidies under s. 49.155 and only if  
21 those individuals are not charged for child care services while the child care provider  
22 or child care center is closed during the public health emergency.

23 (e) *Program criteria and guidelines.* The department of children and families  
24 may establish eligibility criteria and guidelines for administering the programs  
25 under pars. (b) to (d), which, notwithstanding ss. 227.01 (3m) and (13), 227.10, and

1 227.112, need not be promulgated as rules under ch. 227, are not guidance  
2 documents, and are not subject to the requirements of s. 227.112.

3 (f) *Expanded Wisconsin Shares program.*

4 1. Notwithstanding programmatic and eligibility requirements under s. 49.155  
5 and rules promulgated under that section, to the extent authorized under a plan  
6 amendment, waiver, or other federal approval under subd. 2., the department of  
7 children and families may expand eligibility so that an individual who needs child  
8 care services due to the pandemic may receive a subsidy under s. 49.155 for child care  
9 services received during the public health emergency.

10 2. No later than 60 days after the effective date of this subdivision, the  
11 department shall submit to the federal department of health and human services  
12 any request for a state plan amendment, waiver, or other federal approval necessary  
13 to expand eligibility, as determined by the department, for the child care subsidy  
14 program under s. 49.155 to individuals who need child care services due to the  
15 pandemic. If the federal department approves the request or if no federal approval  
16 is necessary, the department may expand eligibility for the child care subsidy  
17 program under s. 49.155 as provided under subd. 1. If the federal department  
18 disapproves the request, the department may not expand eligibility for the child care  
19 subsidy program under s. 49.155 as provided under subd. 1.”.

20 **9.** Page 86, line 4: after that line insert:

21 “(24m) FOUNDATIONS OF READING TEST REQUIREMENTS; PUBLIC HEALTH EMERGENCY  
22 WAIVER.

23 (a) In this subsection:

1           1. “Emergency period” means the period beginning on the date the governor  
2 declared the public health emergency and ending 60 days after the public health  
3 emergency terminates.

4           2. “Public health emergency” means the public health emergency declared on  
5 March 12, 2020, by executive order 72.

6           (b) The requirement under s. 118.19 (14) (a) does not apply to an application  
7 for an initial teaching license that is received by the department of public instruction  
8 during the emergency period.”.

9           **10.** Page 86, line 23: after that line insert:

10           “(28m) EMERGENCY ASSISTANCE TO SMALL BUSINESSES.

11           (a) *Definitions.* In this subsection:

12           1. “Corporation” means the Wisconsin Economic Development Corporation.

13           2. “COVID-19 public health emergency” means the public health emergency  
14 declared on March 12, 2020, by executive order 72, including any extension under  
15 s. 323.10.

16           (b) *Grants to regional economic development organizations.*

17           1. From the appropriation under s. 20.192 (1) (a), the corporation shall award  
18 grants to regional economic development organizations under this paragraph.

19           2. Each regional economic development organization receiving a grant under  
20 subd. 1. shall use all grant moneys to award grants to small businesses in this state  
21 that satisfy all of the following:

22           a. The business ceased operations as a result of the COVID-19 public health  
23 emergency.

24           b. The business regularly employs 50 or fewer employees.

1 c. The business demonstrates a need for cash flow to pay its payroll, rent,  
2 utilities, or other expenses.

3 d. The business demonstrates a loss of income as a result of the COVID-19  
4 public health emergency.

5 3. No business may receive more than a total of \$10,000 in grants under this  
6 paragraph.

7 (c) *Low-interest loans to small businesses.*

8 1. From the appropriation under s. 20.192 (1) (a), the corporation shall award  
9 low-interest loans to small businesses in this state that satisfy all of the following:

10 a. The business ceased operations as a result of the COVID-19 public health  
11 emergency.

12 b. The business regularly employs 100 or fewer employees.

13 c. The business demonstrates a need for cash flow to pay its payroll, rent,  
14 utilities, or other expenses.

15 d. The business demonstrates a loss of income as a result of the COVID-19  
16 public health emergency.

17 2. No business may receive more than a total of \$200,000 in loans under this  
18 paragraph.

19 3. Notwithstanding s. 238.124 (1), each loan under this paragraph shall be  
20 forgivable beginning 2 years after loan origination if the borrower satisfies employee  
21 retention requirements established by the corporation.

22 (d) *Appropriation increase.* Notwithstanding s. 20.192 (1) (a), each dollar  
23 amount shown in that appropriation is increased by \$30,000,000 in fiscal year  
24 2019-20 to provide assistance to small businesses under this subsection, and the  
25 corporation may expend \$30,000,000 from that appropriation for purposes of this

1 subsection notwithstanding the unencumbered balance in the appropriation account  
2 under s. 20.192 (1) (r).”.

3 **11.** Page 86, line 23: after that line insert:

4 **“Section 105m. Fiscal changes.**

5 (1) TOURISM MARKETING. In the schedule under s. 20.005 (3) for the  
6 appropriation to the department of tourism under s. 20.380 (1) (b), the dollar amount  
7 for fiscal year 2020-21 is increased by \$5,000,000 to be used for the regional  
8 destination marketing organization grant program under s. 41.11 (6) and the joint  
9 effort marketing program under s. 41.17.

10 (2) UW SYSTEM; GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005  
11 (3) for the appropriation to the Board of Regents of the University of Wisconsin  
12 System under s. 20.285 (1) (a), the dollar amount for fiscal year 2019-20 is increased  
13 by \$59,000,000 to increase funding for the purpose for which the appropriation is  
14 made.”.

15 (END)