

1 that are commonly employed in the highway construction industry and to inform the  
2 department of the prevailing wage rates in all areas of the state for those trades or  
3 occupations, in order to ascertain and determine the prevailing wage rates  
4 accordingly.

5 (4) CERTIFICATION OF PREVAILING WAGE RATES. The department of workforce  
6 development shall, by May 1 of each year, certify to the department of transportation  
7 the prevailing wage rates in each area for all trades or occupations commonly  
8 employed in the highway construction industry. The certification shall, in addition  
9 to the current prevailing wage rates, include future prevailing wage rates when such  
10 prevailing wage rates can be determined for any such trade or occupation in any area  
11 and shall specify the effective date of those future prevailing wage rates. The  
12 certification shall also include wage rates for work performed on Sundays or the  
13 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day  
14 or night when work is performed. If a construction project extends into more than  
15 one area, the department shall determine only one standard of prevailing wage rates  
16 for the entire project.

17 (4m) WAGE RATE DATA. In determining prevailing wage rates for projects that  
18 are subject to this section, the department shall use data from projects that are  
19 subject to this section, s. 66.0903 or 103.49, or 40 USC 3142. In determining  
20 prevailing wage rates for those projects, the department may not use data from any  
21 construction work that is performed by a state agency or a local governmental unit,  
22 as defined in s. 66.0903 (1) (d).

23 (5) APPEALS TO GOVERNOR. If the department of transportation considers any  
24 determination of the department of workforce development of the prevailing wage

1 rates in an area to be incorrect, it may appeal to the governor, whose determination  
2 is final.

3 (6) CONTENTS OF CONTRACTS. The department of transportation shall include  
4 a reference to the prevailing wage rates determined under sub. (3) and the prevailing  
5 hours of labor in the notice published for the purpose of securing bids for a project.  
6 Except as otherwise provided in this subsection, if any contract or subcontract for a  
7 project that is subject to this section is entered into, the prevailing wage rates  
8 determined under sub. (3) and the prevailing hours of labor shall be physically  
9 incorporated into and made a part of the contract or subcontract. For a minor  
10 subcontract, as determined by the department of workforce development, that  
11 department shall prescribe by rule the method of notifying the minor subcontractor  
12 of the prevailing wage rates and prevailing hours of labor applicable to the minor  
13 subcontract. The prevailing wage rates and prevailing hours of labor applicable to  
14 a contract or subcontract may not be changed during the time that the contract or  
15 subcontract is in force. The department of transportation shall post the prevailing  
16 wage rates determined by the department, the prevailing hours of labor, and the  
17 provisions of subs. (2) and (7) in at least one conspicuous place that is easily  
18 accessible to the employees on the site of the project.

19 (7) PENALTIES. (a) Except as provided in pars. (b), (d), and (f), any contractor,  
20 subcontractor, or contractor's or subcontractor's agent who violates this section may  
21 be fined not more than \$200 or imprisoned for not more than 6 months or both. Each  
22 day that a violation continues is a separate offense.

23 (b) Whoever induces any individual who seeks to be or is employed on any  
24 project that is subject to this section to give up, waive, or return any part of the wages  
25 to which the individual is entitled under the contract governing the project, or who

1 reduces the hourly basic rate of pay normally paid to an individual for work on a  
2 project that is not subject to this section during a week in which the individual works  
3 both on a project that is subject to this section and on a project that is not subject to  
4 this section, by threat not to employ, by threat of dismissal from employment, or by  
5 any other means is guilty of an offense under s. 946.15 (1).

6 (c) Any individual employed on a project that is subject to this section who  
7 knowingly allows a contractor, subcontractor, or contractor's or subcontractor's  
8 agent to pay him or her less than the prevailing wage rate set forth in the contract  
9 governing the project, who gives up, waives, or returns any part of the compensation  
10 to which he or she is entitled under the contract, or who gives up, waives, or returns  
11 any part of the compensation to which he or she is normally entitled for work on a  
12 project that is not subject to this section during a week in which the individual works  
13 both on a project that is subject to this section and on a project that is not subject to  
14 this section, is guilty of an offense under s. 946.15 (2).

15 (d) Whoever induces any individual who seeks to be or is employed on any  
16 project that is subject to this section to allow any part of the wages to which the  
17 individual is entitled under the contract governing the project to be deducted from  
18 the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction  
19 would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a  
20 project that is subject to 40 USC 3142.

21 (e) Any individual employed on a project that is subject to this section who  
22 knowingly allows any part of the wages to which he or she is entitled under the  
23 contract governing the project to be deducted from his or her pay is guilty of an  
24 offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5  
25 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

1 (f) Paragraph (a) does not apply to any individual who fails to provide any  
2 information to the department to assist the department in determining prevailing  
3 wage rates under sub. (3) or (4).

4 (8) ENFORCEMENT AND PROSECUTION. The department of transportation shall  
5 require adherence to subs. (2), (2m), and (6). The department of transportation may  
6 demand and examine, and every contractor, subcontractor, and contractor's or  
7 subcontractor's agent shall keep and furnish upon request by the department of  
8 transportation, copies of payrolls and other records and information relating to  
9 compliance with this section. Upon request of the department of transportation or  
10 upon complaint of alleged violation, the district attorney of the county in which the  
11 work is located shall investigate as necessary and prosecute violations in a court of  
12 competent jurisdiction. Section 111.322 (2m) applies to discharge and other  
13 discriminatory acts arising in connection with any proceeding under this section.

14 SECTION 1263. 103.503 (1) (a) of the statutes is amended to read:

15 103.503 (1) (a) "Accident" means an incident caused, contributed to, or  
16 otherwise involving an employee that resulted or could have resulted in death,  
17 personal injury, or property damage and that occurred while the employee was  
18 performing the work described in s. 66.0903 (4), ~~2013 stats.,~~ or s. ~~16.856~~ 103.49 (2m),  
19 ~~2015 stats.,~~ on a project of public works or while the employee was performing work  
20 on a public utility project.

21 SECTION 1264. 103.503 (1) (e) of the statutes is amended to read:

22 103.503 (1) (e) "Employee" means a laborer, worker, mechanic, or truck driver  
23 who performs the work described in s. 66.0903 (4), ~~2013 stats.,~~ or s. ~~16.856~~ 103.49  
24 (2m), ~~2015 stats.,~~ on a project of public works or on a public utility project.

25 SECTION 1265. 103.503 (1) (g) of the statutes is repealed and recreated to read:

1        103.503 (1) (g) "Project of public works" means a project of public works that  
2        is subject to s. 66.0903 or 103.49.

3        **SECTION 1266.** 103.503 (2) of the statutes is amended to read:

4        103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,  
5        attempt to possess, distribute, deliver, or be under the influence of a drug, or use or  
6        be under the influence of alcohol, while performing the work described in s. 66.0903  
7        (4), ~~2013 stats., or s. 16.856~~ 103.49 (2m), ~~2015 stats.,~~ on a project of public works or  
8        while performing work on a public utility project. An employee is considered to be  
9        under the influence of alcohol for purposes of this subsection if he or she has an  
10       alcohol concentration that is equal to or greater than the amount specified in s.  
11       885.235 (1g) (d).

12       **SECTION 1267.** 103.503 (3) (a) 2. of the statutes is amended to read:

13       103.503 (3) (a) 2. A requirement that employees performing the work described  
14       in s. 66.0903 (4), ~~2013 stats., or s. 16.856~~ 103.49 (2m), ~~2015 stats.,~~ on a project of  
15       public works or performing work on a public utility project submit to random,  
16       reasonable suspicion, and post-accident drug and alcohol testing and to drug and  
17       alcohol testing before commencing work on the project, except that testing of an  
18       employee before commencing work on a project is not required if the employee has  
19       been participating in a random testing program during the 90 days preceding the  
20       date on which the employee commenced work on the project.

21       **SECTION 1268.** 104.001 (3) of the statutes is created to read:

22       104.001 (3) This section does not affect an ordinance that, subject to s. 66.0903,  
23       requires an employee of a county, city, village, or town, an employee who performs  
24       work under a contract for the provision of services to a county, city, village, or town,  
25       or an employee who performs work that is funded by financial assistance from a

.....  
**SECTION 1268**

1 county, city, village, or town to be paid at a minimum wage rate specified in the  
2 ordinance.

3 **SECTION 1269.** 104.001 (4) of the statutes is created to read:

4 104.001 (4) This section does not affect the requirement that employees  
5 employed on a public works project contracted for by a city, village, town, or county  
6 be paid at the prevailing wage rate, as defined in s. 66.0903 (1) (g), as required under  
7 s. 66.0903.

8 **SECTION 1270.** 104.01 (1h) of the statutes is created to read:

9 104.01 (1h) "Consumer price index" means the average of the consumer price  
10 index over each 12-month period for all urban consumers, U.S. city average, all  
11 items, not seasonally adjusted, as determined by the bureau of labor statistics of the  
12 U.S. department of labor.

13 **SECTION 1271.** 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a)  
14 (intro.) and amended to read:

15 104.035 (1) (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to (8)  
16 (8m), the minimum wage is:

17 1. For wages earned prior to the effective date of this subdivision .... [LRB  
18 inserts date], \$7.25 per hour.

19 **SECTION 1272.** 104.035 (1) (a) 2. of the statutes is created to read:

20 104.035 (1) (a) 2. For wages earned on or after the effective date of this  
21 subdivision .... [LRB inserts date], and prior to January 1, 2021, \$8.25 per hour.

22 **SECTION 1273.** 104.035 (1) (a) 3. of the statutes is created to read:

23 104.035 (1) (a) 3. For wages earned on or after January 1, 2021, and prior to  
24 January 1, 2022, \$9.00.

25 **SECTION 1274.** 104.035 (1) (a) 4. of the statutes is created to read:

1 104.035 (1) (a) 4. For wages earned on or after January 1, 2022, and prior to  
2 January 1, 2023, \$9.75.

3 **SECTION 1275.** 104.035 (1) (a) 5. of the statutes is created to read:

4 104.035 (1) (a) 5. For wages earned on or after January 1, 2023, and prior to  
5 January 1, 2024, \$10.50.

6 **SECTION 1276.** 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a)  
7 (intro.) and amended to read:

8 104.035 (2) (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to (8)  
9 (8m), the minimum wage for a minor employee is:

10 1. For wages earned prior to the effective date of this subdivision .... [LRB  
11 inserts date], \$7.25 per hour.

12 **SECTION 1277.** 104.035 (2) (a) 2. of the statutes is created to read:

13 104.035 (2) (a) 2. For wages earned on or after the effective date of this  
14 subdivision .... [LRB inserts date], and prior to January 1, 2021, \$8.25 per hour.

15 **SECTION 1278.** 104.035 (2) (a) 3. of the statutes is created to read:

16 104.035 (2) (a) 3. For wages earned on or after January 1, 2021, and prior to  
17 January 1, 2022, \$9.00.

18 **SECTION 1279.** 104.035 (2) (a) 4. of the statutes is created to read:

19 104.035 (2) (a) 4. For wages earned on or after January 1, 2022, and prior to  
20 January 1, 2023, \$9.75.

21 **SECTION 1280.** 104.035 (2) (a) 5. of the statutes is created to read:

22 104.035 (2) (a) 5. For wages earned on or after January 1, 2023, and prior to  
23 January 1, 2024, \$10.50.

24 **SECTION 1281.** 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a)  
25 (intro.) and amended to read:

1           104.035 (2m) (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to (8)  
2           (8m), the minimum wage for an opportunity employee is:

3           1. For wages earned prior to the effective date of this subdivision .... [LRB  
4           inserts date], \$5.90 per hour.

5           **SECTION 1282.** 104.035 (2m) (a) 2. of the statutes is created to read:

6           104.035 (2m) (a) 2. For wages earned on or after the effective date of this  
7           subdivision .... [LRB inserts date], and prior to January 1, 2021, \$6.71 per hour.

8           **SECTION 1283.** 104.035 (2m) (a) 3. of the statutes is created to read:

9           104.035 (2m) (a) 3. For wages earned on or after January 1, 2021, and prior to  
10          January 1, 2022, \$7.32.

11          **SECTION 1284.** 104.035 (2m) (a) 4. of the statutes is created to read:

12          104.035 (2m) (a) 4. For wages earned on or after January 1, 2022, and prior to  
13          January 1, 2023, \$7.93.

14          **SECTION 1285.** 104.035 (2m) (a) 5. of the statutes is created to read:

15          104.035 (2m) (a) 5. For wages earned on or after January 1, 2023, and prior to  
16          January 1, 2024, \$8.54.

17          **SECTION 1286.** 104.035 (3) (a) (intro.) of the statutes is amended to read:

18          104.035 (3) (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to (8)  
19          (8m), if an employer of a tipped employee establishes by the employer's payroll  
20          records that, when adding the tips received by the tipped employee in a week to the  
21          wages paid to the tipped employee in that week, the tipped employee receives not less  
22          than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum  
23          wage for the tipped employee is as follows:

24          **SECTION 1287.** 104.035 (3) (a) 1. of the statutes is amended to read:

1           104.035 (3) (a) 1. For wages earned by a tipped employee who is not an  
2           opportunity employee prior to the effective date of this subdivision .... [LRB inserts  
3           date], \$2.33 per hour.

4           **SECTION 1288.** 104.035 (3) (a) 1d. of the statutes is created to read:

5           104.035 (3) (a) 1d. For wages earned by a tipped employee who is not an  
6           opportunity employee, on or after the effective date of this subdivision .... [LRB  
7           inserts date] and prior to January 1, 2021, \$2.65 per hour.

8           **SECTION 1289.** 104.035 (3) (a) 1h. of the statutes is created to read:

9           104.035 (3) (a) 1h. For wages earned by a tipped employee who is not an  
10          opportunity employee, on or after January 1, 2021, and prior to January 1, 2022,  
11          \$2.89 per hour.

12          **SECTION 1290.** 104.035 (3) (a) 1p. of the statutes is created to read:

13          104.035 (3) (a) 1p. For wages earned by a tipped employee who is not an  
14          opportunity employee, on or after January 1, 2022, and prior to January 1, 2023,  
15          \$3.13 per hour.

16          **SECTION 1291.** 104.035 (3) (a) 1t. of the statutes is created to read:

17          104.035 (3) (a) 1t. For wages earned by a tipped employee who is not an  
18          opportunity employee, on or after January 1, 2023, and prior to January 1, 2024,  
19          \$3.37 per hour.

20          **SECTION 1292.** 104.035 (3) (a) 2. of the statutes is amended to read:

21          104.035 (3) (a) 2. For wages earned by a tipped employee who is an opportunity  
22          employee prior to the effective date of this subdivision .... [LRB inserts date], \$2.13  
23          per hour.

24          **SECTION 1293.** 104.035 (3) (a) 2d. of the statutes is created to read:

.....  
**SECTION 1293**

1           104.035 (3) (a) 2d. For wages earned by a tipped employee who is an  
2           opportunity employee, on or after the effective date of this subdivision .... [LRB  
3           inserts date], and prior to January 1, 2021, \$2.42 per hour.

4           **SECTION 1294.** 104.035 (3) (a) 2h. of the statutes is created to read:

5           104.035 (3) (a) 2h. For wages earned by a tipped employee who is an  
6           opportunity employee, on or after January 1, 2021, and prior to January 1, 2022,  
7           \$2.64 per hour.

8           **SECTION 1295.** 104.035 (3) (a) 2p. of the statutes is created to read:

9           104.035 (3) (a) 2p. For wages earned by a tipped employee who is an  
10          opportunity employee, on or after January 1, 2022, and prior to January 1, 2023,  
11          \$2.86 per hour.

12          **SECTION 1296.** 104.035 (3) (a) 2t. of the statutes is created to read:

13          104.035 (3) (a) 2t. For wages earned by a tipped employee who is an opportunity  
14          employee, on or after January 1, 2023, and prior to January 1, 2024, \$3.08 per hour.

15          **SECTION 1297.** 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a)  
16          (intro.) and amended to read:

17          104.035 (4) (a) *Minimum rates.* (intro.) Except as provided in subs. (7) and (8)  
18          to (8m), the minimum wage for an agricultural employee is:

19          1. For wages earned prior to the effective date of this subdivision .... [LRB  
20          inserts date], \$7.25 per hour.

21          **SECTION 1298.** 104.035 (4) (a) 2. of the statutes is created to read:

22          104.035 (4) (a) 2. For wages earned on or after the effective date of this  
23          subdivision .... [LRB inserts date], and prior to January 1, 2021, \$8.25 per hour.

24          **SECTION 1299.** 104.035 (4) (a) 3. of the statutes is created to read:

1 104.035 (4) (a) 3. For wages earned on or after January 1, 2021, and prior to  
2 January 1, 2022, \$9.00 per hour.

3 **SECTION 1300.** 104.035 (4) (a) 4. of the statutes is created to read:

4 104.035 (4) (a) 4. For wages earned on or after January 1, 2022, and prior to  
5 January 1, 2023, \$9.75 per hour.

6 **SECTION 1301.** 104.035 (4) (a) 5. of the statutes is created to read:

7 104.035 (4) (a) 5. For wages earned on or after January 1, 2023, and prior to  
8 January 1, 2024, \$10.50 per hour.

9 **SECTION 1302.** 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.)  
10 and amended to read:

11 104.035 (5) CAMP COUNSELORS. (intro.) The Except as provided in sub. (8m), the  
12 minimum wage for a counselor at a seasonal recreational or educational camp,  
13 including a day camp, is:

14 (a) Prior to the effective date of this paragraph .... [LRB inserts date], \$350 per  
15 week if meals and lodging are not furnished, \$265 per week if only meals are  
16 furnished, and \$210 per week if both meals and lodging are furnished.

17 **SECTION 1303.** 104.035 (5) (b) of the statutes is created to read:

18 104.035 (5) (b) On or after the effective date of this paragraph .... [LRB inserts  
19 date], and prior to January 1, 2021, \$398.28 per week if meals and lodging are not  
20 furnished, \$284.48 per week if only meals are furnished, and \$238.97 per week if both  
21 meals and lodging are furnished.

22 **SECTION 1304.** 104.035 (5) (c) of the statutes is created to read:

23 104.035 (5) (c) On or after January 1, 2021, and prior to January 1, 2022,  
24 \$434.48 per week if meals and lodging are not furnished, \$310.34 per week if only  
25 meals are furnished, and \$260.69 per week if both meals and lodging are furnished.

**SECTION 1305.** 104.035 (5) (d) of the statutes is created to read:

104.035 (5) (d) On or after January 1, 2022, and prior to January 1, 2023, \$470.69 per week if meals and lodging are not furnished, \$336.21 per week if only meals are furnished, and \$282.41 per week if both meals and lodging are furnished.

**SECTION 1306.** 104.035 (5) (e) of the statutes is created to read:

104.035 (5) (e) On or after January 1, 2023, and prior to January 1, 2024, \$506.90 per week if meals and lodging are not furnished, \$362.07 per week if only meals are furnished, and \$304.14 per week if both meals and lodging are furnished.

**SECTION 1307.** 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.) and amended to read:

104.035 (6) GOLF CADDIES. (intro.) The Except as provided in sub. (8m), the minimum wage for a golf caddy is:

(a) Prior to the effective date of this paragraph .... [LRB inserts date], \$10.50 for caddying 18 holes and \$5.90 for caddying 9 holes.

**SECTION 1308.** 104.035 (6) (b) of the statutes is created to read:

104.035 (6) (b) On or after the effective date of this paragraph .... [LRB inserts date], and prior to January 1, 2021, \$11.95 for caddying 18 holes and \$6.71 for caddying 9 holes.

**SECTION 1309.** 104.035 (6) (c) of the statutes is created to read:

104.035 (6) (c) On or after January 1, 2021, and prior to January 1, 2022, \$13.03 for caddying 18 holes and \$7.32 for caddying 9 holes.

**SECTION 1310.** 104.035 (6) (d) of the statutes is created to read:

104.035 (6) (d) On or after January 1, 2022, and prior to January 1, 2023, \$14.12 for caddying 18 holes and \$7.93 for caddying 9 holes.

**SECTION 1311.** 104.035 (6) (e) of the statutes is created to read:

1           104.035 (6) (e) On or after January 1, 2023, and prior to January 1, 2024, \$15.21  
2           for caddying 18 holes and \$8.54 for caddying 9 holes.

3           **SECTION 1312.** 104.035 (8m) of the statutes is created to read:

4           104.035 (8m) Effective on January 1, 2024, and effective on each January 1  
5           thereafter, the department shall revise the minimum wages established under subs.  
6           (1) to (6). The department shall determine the revised minimum wages by  
7           calculating the percentage difference between the consumer price index for the  
8           12-month period ending on the last day of the last month for which that information  
9           is available and the consumer price index for the 12-month period ending on the last  
10          day of the month 12 months prior to that month, adjusting the minimum wage then  
11          in effect by that percentage difference. The department shall annually have the  
12          revised amount published in the Wisconsin Administrative Register and on the  
13          department's Internet site.

14          **SECTION 1313.** 106.04 of the statutes is created to read:

15          **106.04 Employment of apprentices on state public works projects. (1)**

16          **DEFINITION.** In this section, "project" means a project of public works that is subject  
17          to s. 103.49 or 103.50 in which work is performed by employees employed in trades  
18          that are apprenticeable under this subchapter.

19          **(2) WAIVER.** If the department grants an exception or modification to any  
20          requirement in any contract for the performance of work on a project relating to the  
21          employment and training of apprentices, the department shall post that information  
22          on its Internet site, together with a detailed explanation for granting the exception  
23          or modification.

24          **SECTION 1314.** 106.125 of the statutes is repealed.

25          **SECTION 1315.** 106.27 (1u) of the statutes is created to read:

.....  
**SECTION 1315**

1       106.27 (1u) SHIPBUILDERS; TRAINING GRANTS. From the appropriation under s.  
2       20.445 (1) (b), in the 2019-21 fiscal biennium, the department shall allocate  
3       \$1,000,000 for grants to shipbuilders in this state to train new and current  
4       employees. A shipbuilder that receives a grant under this subsection shall expend  
5       all grant moneys before July 1, 2021, for purposes of training new and current  
6       employees.

7       **SECTION 1316.** 106.271 of the statutes is repealed.

8       **SECTION 1317.** 106.272 (title) of the statutes is repealed.

9       **SECTION 1318.** 106.272 of the statutes is renumbered 118.196 (4), and 118.196  
10      (4) (a) and (b) (intro.), 1. and 2., as renumbered, are amended to read:

11       118.196 (4) (a) From the appropriation under s. 20.445 (1) (dg) 20.255 (2) (em),  
12      the department shall award grants to the school board of a school district or to the  
13      boards, governing body of a private school, as defined under s. 115.001 (3d), or to a  
14      bodies, and charter management organization organizations under sub. (1) (a) that  
15      has have partnered with an educator preparation program approved by the  
16      department of public instruction and headquartered in this state programs under  
17      sub. (1) (a) to design and implement -a- teacher development program programs.

18       (b) (intro.) In awarding a grant under this section subsection, the department  
19      shall do all of the following:

20       1. ~~Consult with the department of public instruction to confirm~~ Confirm that  
21      the teacher development program satisfies the requirements under s. ~~118.196 sub.~~  
22      (2).

23       2. Consider the methods by which the school board, governing body, or charter  
24      management organization and the educator preparation program under sub. (1) (a)  
25      will make the teacher development program affordable to participating employees.

1           **SECTION 1319.** 106.273 (title) of the statutes is renumbered 115.457 (title).

2           **SECTION 1320.** 106.273 (1) of the statutes is renumbered 115.457 (1) and  
3 amended to read:

4           115.457 (1) IDENTIFICATION OF WORKFORCE SHORTAGES. The ~~department~~ state  
5 superintendent shall annually confer with the department of ~~public instruction~~  
6 workforce development and the Wisconsin technical college system to identify  
7 industries and occupations within this state that face workforce shortages or  
8 shortages of adequately trained, entry-level workers. The state superintendent of  
9 ~~public instruction~~ shall annually notify school districts of the identified industries  
10 and occupations and make this information available on the Internet site of the  
11 department of public instruction.

12           **SECTION 1321.** 106.273 (2) of the statutes is renumbered 115.457 (2), and  
13 115.457 (2) (intro.), as renumbered, is amended to read:

14           115.457 (2) APPROVAL OF PROGRAMS. (intro.) The ~~department~~ state  
15 superintendent shall approve industry-recognized certification programs designed  
16 to do any of the following:

17           **SECTION 1322.** 106.273 (3) (title) of the statutes is renumbered 115.457 (3)  
18 (title).

19           **SECTION 1323.** 106.273 (3) (a) of the statutes is renumbered 115.457 (3) (a) and  
20 amended to read:

21           115.457 (3) (a) From the appropriation under s. ~~20.445 (1) (bz)~~ 20.255 (2) (ck),  
22 the ~~department~~ state superintendent shall annually award all of the following  
23 incentive grants to school districts:

24           1m. An incentive grant to a school district that has an industry-recognized  
25 certification program approved by the ~~department~~ state superintendent under sub.

.....  
**SECTION 1323**

1 (2) (a). Subject to ~~pars. (am) and par.~~ (b), the amount of the incentive grant under  
2 this subdivision is equal to \$1,000 for each ~~student~~ pupil in the school district to  
3 whom all of the following apply:

\*\*\*\*NOTE: This is reconciled s. 115.457 (3) (a) 1m., as renumbered from s. 106.273  
(3) (a) 1m. This section has been affected by drafts with the following LRB numbers:  
LRB-1301/P2 and LRB-2009/P1.

4 a. In the prior school year, the ~~student~~ pupil obtained a high school diploma or  
5 a technical education high school diploma from a school in the school district.

6 b. The ~~student~~ pupil successfully completed the program in a school year in  
7 which the program was approved by the ~~department~~ state superintendent under  
8 sub. (2) (a).

9 2m. An incentive grant to a school district that has an industry-recognized  
10 certification program approved by the ~~department~~ state superintendent under sub.

11 (2) (b). Subject to par. (b), for each such program the school district has, the amount  
12 of the incentive grant under this subdivision is equal to \$1,000 for each ~~student~~ pupil  
13 in the school district who successfully completed the program in a school year in  
14 which the program was approved by the ~~department~~ state superintendent under  
15 sub. (2) (b).

16 **SECTION 1324.** 106.273 (3) (am) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 106.273 (3) (am). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1301/P2 and LRB-2009/P1.

17 **SECTION 1325.** 106.273 (3) (b) of the statutes is renumbered 115.457 (3) (b) and  
18 amended to read:

19 115.457 (3) (b) If the amount available in the appropriation under s. ~~20.445 (1)~~  
20 ~~(bz)~~ 20.255 (2) (ck) in any fiscal year is insufficient to pay the full amount per ~~student~~  
21 pupil under par. (a) 1m. and 2m., the ~~department~~ state superintendent may prorate

1 the amount of the department's payments among school districts eligible for  
2 incentive grants under this subsection.

3 **SECTION 1326.** 106.273 (4) of the statutes is renumbered 115.457 (4) and  
4 amended to read:

5 115.457 (4) ~~COMPLETION AWARDS FOR STUDENTS~~ PUPILS. From the appropriation  
6 under s. ~~20.445 (1) (e)~~ 20.255 (3) (ck), the ~~department~~ state superintendent shall  
7 annually award a completion award to a student pupil in the amount of \$500 for each  
8 industry-recognized certification program approved by the ~~department~~ state  
9 superintendent under sub. (2) (b) that the student pupil successfully completed in  
10 a school year in which the program was approved by the ~~department~~ state  
11 superintendent under sub. (2) (b).

12 **SECTION 1327.** 106.273 (5) of the statutes is repealed.

13 **SECTION 1328.** 106.275 of the statutes is renumbered 115.458, and 115.458 (1)  
14 (a), as renumbered, is amended to read:

15 115.458 (1) (a) From the appropriation under s. ~~20.445 (1) (eg)~~ 20.255 (2) (cL),  
16 the department may award technical education equipment grants under this section  
17 in the amount of not more than \$50,000 to school districts whose grant applications  
18 are approved under sub. (2) (b).

19 **SECTION 1329.** 106.277 (title), (1) (intro.), (a) and (c), (3) and (4) of the statutes  
20 are repealed.

21 **SECTION 1330.** 106.277 (1) (b) of the statutes is renumbered 118.196 (1) (b) and  
22 amended to read:

23 118.196 (1) (b) ~~The organization operates~~ A grant under sub. (5) to operate a  
24 program to recruit and prepare individuals to teach in public or private schools  
25 located in low-income or urban school districts in this state.

## SECTION 1331

1       **SECTION 1331.** 106.277 (2) of the statutes is renumbered 118.196 (5), and  
2       118.196 (5) (intro.), as renumbered, is amended to read:

3       118.196 (5) (intro.) From the appropriation under s. 20.255 (2) (em), the  
4       department shall award grants to school boards, governing bodies, and charter  
5       management organizations under sub. (1) (b). The department shall establish a  
6       process for evaluating and assigning a score to each organization eligible to receive  
7       applicant for a grant under sub. (1). ~~If the amount appropriated under s. 20.445 (1)~~  
8       ~~(bt) is insufficient to make the payments required under sub. (1), the (b). The~~  
9       department shall give preference in evaluating grants under this section to a  
10      nonprofit organization subsection for each of the following:

11      **SECTION 1332.** 106.38 (4) (a) 5. of the statutes is repealed.

12      **SECTION 1333.** 106.50 (1m) (h) of the statutes is amended to read:

13      106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat  
14      a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)  
15      because of sex, race, color, sexual orientation, disability, religion, national origin,  
16      marital status, or family status; status as a victim of domestic abuse, sexual assault,  
17      or stalking; whether the person holds, or has applied for, a registry identification  
18      card, as defined in s. 146.44 (1) (g), has been the subject of a written certification, as  
19      defined in s. 146.44 (1) (h), or is or has been a member of a treatment team, as defined  
20      in s. 961.01 (20t); lawful source of income; age; or ancestry.

21      **SECTION 1334.** 108.02 (13) (k) of the statutes is amended to read:

22      108.02 (13) (k) "Employer" does not include a county department, an aging  
23      unit, or, under s. 46.2785, a private agency that serves as a fiscal agent or contracts  
24      with a fiscal intermediary to serve as a fiscal agent under s. 46.27 (5) (i), 46.272 (7)  
25      (e), or 47.035 as to any individual performing services for a person receiving

INS  
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INS  
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21A

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1 long-term support services under s. 46.27 (5) (b), 46.272 (7) (b), 46.275, 46.277,  
2 46.278, 46.2785, 46.286, 46.495, 51.42, or 51.437 or personal assistance services  
3 under s. 47.02 (6) (c).

4 **SECTION 1335.** 108.02 (24g) of the statutes is created to read:

5 108.02 (24g) SUITABLE WORK. "Suitable work" has the meaning specified by the  
6 department by rule under s. 108.14 (27).

7 **SECTION 1336.** 108.02 (26m) of the statutes is repealed.

8 **SECTION 1337.** 108.04 (2) (a) (intro.) of the statutes is amended to read:

9 108.04 (2) (a) (intro.) Except as provided in ~~pars. par. (b) to (bd)~~, sub. (16) (am)  
10 and (b), and s. 108.062 (10) and (10m) and as otherwise expressly provided, a  
11 claimant is eligible for benefits as to any given week only if all of the following apply:

12 **SECTION 1338.** 108.04 (2) (a) 3. of the statutes is repealed and recreated to read:

13 108.04 (2) (a) 3. The claimant conducts a reasonable search for suitable work  
14 during that week and provides verification of that search to the department. The  
15 search for suitable work must include at least 4 actions per week that constitute a  
16 reasonable search as prescribed by rule of the department. In addition, the  
17 department may, by rule, require a claimant to take more than 4 reasonable work  
18 search actions in any week. The department shall require a uniform number of  
19 reasonable work search actions for similar types of claimants. This subdivision does  
20 not apply to a claimant if the department determines that the claimant is currently  
21 laid off from employment with an employer but there is a reasonable expectation of  
22 reemployment of the individual by that employer. In determining whether the  
23 claimant has a reasonable expectation of reemployment by an employer, the  
24 department shall request the employer to verify the claimant's employment status  
25 and shall consider all of the following:

.....  
**SECTION 1338**

1 a. The history of layoffs and reemployments by the employer.

2 b. Any information that the employer furnished to the claimant or the  
3 department concerning the claimant's anticipated reemployment date.

4 c. Whether the claimant has recall rights with the employer under the terms  
5 of any applicable collective bargaining agreement.

6 **SECTION 1339.** 108.04 (2) (b) of the statutes is repealed and recreated to read:

7 108.04 (2) (b) The department may, by rule, establish waivers from the  
8 registration for work requirement under par. (a) 2. and the work search requirement  
9 under par. (a) 3.

10 **SECTION 1340.** 108.04 (2) (bb) of the statutes is repealed.

11 **SECTION 1341.** 108.04 (2) (bd) of the statutes is repealed.

12 **SECTION 1342.** 108.04 (2) (bm) of the statutes is amended to read:

13 108.04 (2) (bm) A claimant is ineligible to receive benefits for any week for  
14 which there is a determination that the claimant failed to comply with the  
15 registration for work and work search requirements under par. (a) 2. or 3. or failed  
16 to provide verification to the department that the claimant complied with those  
17 requirements, unless the department has waived those requirements under par. (b),  
18 ~~(bb), or (bd)~~ or s. 108.062 (10m). If the department has paid benefits to a claimant  
19 for any such week, the department may recover the overpayment under s. 108.22.

20 **SECTION 1343.** 108.04 (3) of the statutes is repealed.

21 **SECTION 1344.** 108.04 (5) (intro.) of the statutes is amended to read:

22 108.04 (5) DISCHARGE FOR MISCONDUCT. (intro.) An Unless sub. (5g) results in  
23 disqualification, an employee whose work is terminated by an employing unit for  
24 misconduct by the employee connected with the employee's work is ineligible to  
25 receive benefits until 7 weeks have elapsed since the end of the week in which the

1 discharge occurs and the employee earns wages after the week in which the  
2 discharge occurs equal to at least 14 times the employee's weekly benefit rate under  
3 s. 108.05 (1) in employment or other work covered by the unemployment insurance  
4 law of any state or the federal government. For purposes of requalification, the  
5 employee's weekly benefit rate shall be the rate that would have been paid had the  
6 discharge not occurred. The wages paid to an employee by an employer which  
7 terminates employment of the employee for misconduct connected with the  
8 employee's employment shall be excluded from the employee's base period wages  
9 under s. 108.06 (1) for purposes of benefit entitlement. This subsection does not  
10 preclude an employee who has employment with an employer other than the  
11 employer which terminated the employee for misconduct from establishing a benefit  
12 year using the base period wages excluded under this subsection if the employee  
13 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall  
14 charge to the fund's balancing account any benefits otherwise chargeable to the  
15 account of an employer that is subject to the contribution requirements under ss.  
16 108.17 and 108.18 from which base period wages are excluded under this subsection.  
17 For purposes of this subsection, "misconduct" means one or more actions or conduct  
18 evincing such willful or wanton disregard of an employer's interests as is found in  
19 deliberate violations or disregard of standards of behavior which an employer has a  
20 right to expect of his or her employees, or in carelessness or negligence of such degree  
21 or recurrence as to manifest culpability, wrongful intent, or evil design of equal  
22 severity to such disregard, or to show an intentional and substantial disregard of an  
23 employer's interests, or of an employee's duties and obligations to his or her  
24 employer. In addition, "misconduct" includes:

.....  
**SECTION 1344**

\*\*\*\*NOTE: I restored language removed by 2013 Act 20 that said that if the absenteeism and misconduct standard applies, then the more strict misconduct standard under s. 108.04 (5) would not apply. OK? However, although I know the instructions were to leave misconduct alone, s. 108.04 (5) (e) also puts certain instances of excessive absenteeism and tardiness under misconduct (and that provision has been further interpreted by the supreme court in *DWD v. LIRC*, 2018 WI 77). It seems to me that s. 108.04 (5) (e) would actually still potentially swallow up s. 108.04 (5g) in many cases (because s. 108.04 (5) (e) has a much lower standard that would result in misconduct before s. 108.04 (5g) would ever come into play), and I think you may want or even need to repeal s. 108.04 (5) (e) in order for s. 108.04 (5g) to be effective. But I would strongly suggest you or I confirm my reading with the department to see what would best achieve your intent on this point.

**SECTION 1345.** 108.04 (5g) of the statutes is repealed and recreated to read:

**108.04 (5g) DISCHARGE FOR FAILURE TO NOTIFY EMPLOYER OF ABSENTEEISM OR TARDINESS.** (a) If an employee is discharged for failing to notify his or her employer of absenteeism or tardiness that becomes excessive, and the employer has complied with the requirements of par. (d) with respect to that employee, the employee is ineligible to receive benefits until 6 weeks have elapsed since the end of the week in which the discharge occurs and the employee earns wages after the week in which the discharge occurs equal to at least 6 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly benefit rate shall be the rate that would have been paid had the discharge not occurred.

(b) For purposes of this subsection, tardiness becomes excessive if an employee is late for 6 or more scheduled workdays in the 12-month period preceding the date of the discharge without providing adequate notice to his or her employer.

(c) For purposes of this subsection, absenteeism becomes excessive if an employee is absent for 5 or more scheduled workdays in the 12-month period preceding the date of the discharge without providing adequate notice to his or her employer.

1 (d) 1. The requalifying requirements under par. (a) apply only if the employer  
2 has a written policy on notification of tardiness or absences ~~that~~ satisfies all of the  
3 following:

- 4 a. Defines what constitutes a single occurrence of tardiness or absenteeism.  
5 b. Describes the process for providing adequate notice of tardiness or absence.  
6 c. Notifies the employee that failure to provide adequate notice of an absence  
7 or tardiness may lead to discharge.

8 2. The employer shall provide a copy of the written policy under subd. 1. to each  
9 employee and shall have written evidence that the employee received a copy of that  
10 policy.

11 3. The employer must have given the employee at least one warning concerning  
12 the employee's violation of the employer's written policy under subd. 1. within the  
13 12-month period preceding the date of the discharge.

14 4. The employer must apply the written policy under subd. 1. uniformly to all  
15 employees of the employer.

16 (e) The department shall charge to the fund's balancing account the cost of any  
17 benefits paid to an employee that are otherwise chargeable to the account of an  
18 employer that is subject to the contribution requirements under ss. 108.17 and  
19 108.18 if the employee is discharged by that employer and par. (a) applies.

20 (em) If an employee is not disqualified under this subsection, the employee may  
21 nevertheless be subject to the disqualification under sub. (5).

\*\*\*\*NOTE: This change repeals current s. 108.04 (5g) and replaces it with the pre-2013 Wisconsin Act 20 standard regarding absenteeism and tardiness. I took this to be what the instruction meant by "reverse the changes." While this is ancient history now, I would just note that I believe the Unemployment Insurance Advisory Council agreed on a number of changes to this standard in its 2013 agreed-upon bill process. Those included a) reducing the standard under s. 108.04 (5g) (b) and (c) from 6 and 4 to 5 and 2 tardy and absent days, respectively, b) reducing the time window in s. 108.04 (5g) (b), (c), and (d) 3. from 12 months to 120 days; and c) requiring employers to give

.....  
**SECTION 1345**

employees a reasonable amount of time to provide notice of absenteeism and tardiness. Those changes were not enacted, and instead the legislature enacted the more encompassing substantial fault standard we have now. But I just thought I would note them in case you wanted to incorporate any of those changes.

**SECTION 1346.** 108.04 (7) (e) of the statutes is amended to read:

108.04 (7) (e) Paragraph (a) does not apply if the department determines that the employee accepted work that the employee could have failed to accept under sub. (8) and terminated the work on the same grounds and within the first 30 calendar days after starting the work, or that the employee accepted work that the employee could have refused under sub. (9) and terminated the work within the first 30 calendar days after starting the work. For purposes of this paragraph, an employee has the same grounds for voluntarily terminating work if the employee could have failed to accept the work under sub. (8) ~~(d) to (em)~~ when it was offered, regardless of the reason articulated by the employee for the termination.

**SECTION 1347.** 108.04 (7) (t) 1. of the statutes is repealed.

**SECTION 1348.** 108.04 (7) (t) 2. of the statutes is amended to read:

108.04 (7) (t) 2. The employee's spouse was required by the U.S. armed forces his or her employing unit to relocate to a place to which it is impractical for the employee to commute.

**SECTION 1349.** 108.04 (8) (a) of the statutes is amended to read:

108.04 (8) (a) ~~Except as provided in par. (b), if~~ If an employee fails, without good cause, to accept suitable work when offered, the employee is ineligible to receive benefits until the employee earns wages after the week in which the failure occurs equal to at least 6 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly benefit rate shall be that rate which would have been paid had the failure not

1 occurred. This paragraph does not preclude an employee from establishing a benefit  
2 year during a period in which the employee is ineligible to receive benefits under this  
3 paragraph if the employee qualifies to establish a benefit year under s. 108.06 (2) (a).  
4 ~~Except as provided in par. (b), the~~ The department shall charge to the fund's  
5 balancing account any benefits otherwise chargeable to the account of an employer  
6 that is subject to the contribution requirements under ss. 108.17 and 108.18  
7 whenever an employee of that employer fails, without good cause, to accept suitable  
8 work offered by that employer.

9 **SECTION 1350.** 108.04 (8) (b) of the statutes, as affected by 2017 Wisconsin Act  
10 157, is repealed.

11 **SECTION 1351.** 108.04 (8) (c) of the statutes is amended to read:

12 108.04 (8) (c) If an employee fails, without good cause, to return to work with  
13 a former employer that recalls the employee within 52 weeks after the employee last  
14 worked for that employer, the employee is ineligible to receive benefits until the  
15 employee earns wages after the week in which the failure occurs equal to at least 6  
16 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other  
17 work covered by the unemployment insurance law of any state or the federal  
18 government. For purposes of requalification, the employee's weekly benefit rate  
19 shall be that rate which would have been paid had the failure not occurred. This  
20 paragraph does not preclude an employee from establishing a benefit year during a  
21 period in which the employee is ineligible to receive benefits under this paragraph  
22 if the employee qualifies to establish a benefit year under s. 108.06 (2) (a). The  
23 department shall charge to the fund's balancing account any benefits otherwise  
24 chargeable to the account of any employer that is subject to the contribution  
25 requirements under ss. 108.17 and 108.18 whenever an employee of that employer

.....  
**SECTION 1351**

1 fails, without good cause, to return to work with that employer. This paragraph does  
2 not apply to an employee who fails to return to work with a former employer if the  
3 work offered would not be considered suitable work under par. (d) or (dm), whichever  
4 is applicable. If an employee receives actual notice of a recall to work, par. (a) applies  
5 in lieu of this paragraph.

6 **SECTION 1352.** 108.04 (8) (d) of the statutes is repealed and recreated to read:

7 108.04 (8) (d) An employee shall have good cause under par. (a) or (c),  
8 regardless of the reason articulated by the employee for the failure, if the department  
9 determines that the failure involved work at a lower grade of skill or significantly  
10 lower rate of pay than applied to the employee on one or more recent jobs, and that  
11 the employee had not yet had a reasonable opportunity, in view of labor market  
12 conditions and the employee's degree of skill, but not to exceed 6 weeks after the  
13 employee became unemployed, to seek a new job substantially in line with the  
14 employee's prior job skill and rate of pay.

15 **SECTION 1353.** 108.04 (8) (dm) of the statutes is repealed.

16 **SECTION 1354.** 108.04 (8) (em) of the statutes is repealed.

17 **SECTION 1355.** 108.04 (11) (bm) of the statutes is amended to read:

18 108.04 (11) (bm) The department shall apply any ineligibility under par. (be)  
19 against benefits and weeks of eligibility for which the claimant would otherwise be  
20 eligible after the week of concealment and within 6 years after the date of an initial  
21 determination issued under s. 108.09 finding that a concealment occurred. The  
22 claimant shall not receive waiting period credit under s. 108.04 (3) for the period of  
23 ineligibility applied under par. (be). If no benefit rate applies to the week for which  
24 the claim is made, the department shall use the claimant's benefit rate for the

1 claimant's next benefit year beginning after the week of concealment to determine  
2 the amount of the benefit reduction.

3 **SECTION 1356.** 108.05 (1) (r) of the statutes is amended to read:

4 108.05 (1) (r) Except as provided in s. 108.062 (6) (a), each eligible employee  
5 shall be paid benefits for each week of total unemployment that commences on or  
6 after January 5, 2014, and before January 5, 2020, at the weekly benefit rate  
7 specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate shall  
8 equal 4 percent of the employee's base period wages that were paid during that  
9 quarter of the employee's base period in which the employee was paid the highest  
10 total wages, rounded down to the nearest whole dollar, except that, if that amount  
11 is less than \$54, no benefits are payable to the employee and, if that amount is more  
12 than \$370, the employee's weekly benefit rate shall be \$370 and except that, if the  
13 employee's benefits are exhausted during any week under s. 108.06 (1), the employee  
14 shall be paid the remaining amount of benefits payable to the employee under s.  
15 108.06 (1). The department shall publish on its Internet site a weekly benefit rate  
16 schedule of quarterly wages and the corresponding weekly benefit rates as  
17 calculated in accordance with this paragraph.

18 **SECTION 1357.** 108.05 (1) (s) of the statutes is created to read:

19 108.05 (1) (s) Except as provided in s. 108.062 (6) (a), each eligible employee  
20 shall be paid benefits for each week of total unemployment that commences on or  
21 after January 5, 2020, at the weekly benefit rate specified in this paragraph. Unless  
22 sub. (1m) applies, the weekly benefit rate shall equal 4 percent of the employee's base  
23 period wages that were paid during that quarter of the employee's base period in  
24 which the employee was paid the highest total wages, rounded down to the nearest  
25 whole dollar, except that, if that amount is less than \$54, no benefits are payable to

.....  
**SECTION 1357**

1 the employee and, if that amount is more than \$406, the employee's weekly benefit  
2 rate shall be \$406 and except that, if the employee's benefits are exhausted during  
3 any week under s. 108.06 (1), the employee shall be paid the remaining amount of  
4 benefits payable to the employee under s. 108.06 (1). The department shall publish  
5 on its Internet site a weekly benefit rate schedule of quarterly wages and the  
6 corresponding weekly benefit rates as calculated in accordance with this paragraph.

7 **SECTION 1358.** 108.05 (3) (dm) of the statutes is renumbered 108.05 (3) (dm)

8 1. and amended to read:

9 108.05 (3) (dm) 1. Except when otherwise authorized in an approved  
10 work-share program under s. 108.062, a claimant is ineligible to receive any benefits  
11 for a week if the claimant receives or will receive from one or more employers wages  
12 earned for work performed in that week, amounts treated as wages under s. 108.04  
13 (1) (bm) for that week, sick pay, holiday pay, vacation pay, termination pay, bonus pay,  
14 back pay, or payments treated as wages under s. 108.04 (12) (e), or any combination  
15 thereof, totalling more than \$500 the amount determined under subd. 2.

16 **SECTION 1359.** 108.05 (3) (dm) 2. of the statutes is created to read:

17 108.05 (3) (dm) 2. For purposes of subd. 1., the amount under this subdivision  
18 shall be \$500, except that effective January 1 of each year, with the first adjustment  
19 being effective on January 1, 2020, the department shall adjust that amount by a  
20 percentage equal to the average annual percentage change in the U.S. consumer  
21 price index for all urban consumers, U.S. city average, as determined by the federal  
22 department of labor. The department shall annually have the revised amount  
23 published in the Wisconsin Administrative Register.

\*\*\*\*NOTE: I think this should work, but I would suggest letting DWD review it. I  
would also note that changes to UI law are typically effective corresponding with the  
beginning of a week (i.e., on a Sunday), so it might be preferable to have this change be

effective on the first full week of a given year, rather than on January 1, but I would also defer to DWD on that.

1       **SECTION 1360.** 108.133 of the statutes, as affected by 2017 Wisconsin Act 157,  
2 sections 26 to 37, is repealed.

3       **SECTION 1361.** 108.14 (8n) (e) of the statutes is amended to read:

4       108.14 (8n) (e) The department shall charge this state's share of any benefits  
5 paid under this subsection to the account of each employer by which the employee  
6 claiming benefits was employed in the applicable base period, in proportion to the  
7 total amount of wages he or she earned from each employer in the base period, except  
8 that if s. 108.04 (1) (f), (5), (7) (a), (c), (cg), (e), (L), (q), (s), or (t), (7m) or (8) (a) ~~or (b),~~  
9 or 108.07 (3), (3r), or (5) (b), or 108.133 (3) (f) would have applied to employment by  
10 such an employer who is subject to the contribution requirements of ss. 108.17 and  
11 108.18, the department shall charge the share of benefits based on employment with  
12 that employer to the fund's balancing account, or, if s. 108.04 (1) (f) or (5) or 108.07  
13 (3) would have applied to an employer that is not subject to the contribution  
14 requirements of ss. 108.17 and 108.18, the department shall charge the share of  
15 benefits based on that employment in accordance with s. 108.07 (5) (a) and (b). The  
16 department shall also charge the fund's balancing account with any other state's  
17 share of such benefits pending reimbursement by that state.

18       **SECTION 1362.** 108.14 (27) of the statutes is created to read:

19       108.14 (27) The department shall promulgate a rule to define what constitutes  
20 suitable work for claimants, which shall specify different levels of suitable work  
21 based upon the number of weeks that a claimant has received benefits in a given  
22 benefit year.

23       **SECTION 1363.** 108.141 (3g) (a) 3. (intro.) of the statutes is amended to read:

.....  
**SECTION 1363**

1           108.141 **(3g)** (a) 3. (intro.) ~~Work~~ Notwithstanding s. 108.02 (24g), work is  
2 suitable within the meaning of subd. 2. if:

3           **SECTION 1364.** 108.141 (7) (a) of the statutes is amended to read:

4           108.141 **(7)** (a) The department shall charge the state's share of each week of  
5 extended benefits to each employer's account in proportion to the employer's share  
6 of the total wages of the employee receiving the benefits in the employee's base  
7 period, except that if the employer is subject to the contribution requirements of ss.  
8 108.17 and 108.18 the department shall charge the share of extended benefits to  
9 which s. 108.04 (1) (f), (5), (7) (a), (c), (cg), (e), (L), (q), (s), or (t), (7m) or (8) (a) ~~or (b)~~,  
10 or 108.07 (3), (3r), or (5) (b), or 108.133 (3) (f) applies to the fund's balancing account.

11          **SECTION 1365.** 108.16 (6m) (a) of the statutes is amended to read:

12          108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (5g),  
13 (7) (h), (8) (a) ~~or (b)~~, (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (b), (5m), or (6), ~~108.133~~  
14 ~~(3) (f)~~, 108.14 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

15          **SECTION 1366.** 108.19 (1s) (a) 5. of the statutes is repealed.

16          **SECTION 1367.** 108.22 (10) of the statutes is amended to read:

17          108.22 **(10)** A private agency that serves as a fiscal agent under s. 46.2785 or  
18 contracts with a fiscal intermediary to serve as a fiscal agent under s. 46.27 (5) (i),  
19 46.272 (7) (e), or 47.035 as to any individual performing services for a person  
20 receiving long-term support services under s. ~~46.27 (5) (b)~~, 46.272 (7) (b), 46.275,  
21 46.277, 46.278, 46.2785, 46.286, 46.495, 51.42, or 51.437 or personal assistance  
22 services under s. 47.02 (6) (c) may be found jointly and severally liable for the  
23 amounts owed by the person under this chapter, if, at the time the person's quarterly  
24 report is due under this chapter, the private agency served as a fiscal agent for the  
25 person. The liability of the agency as provided in this subsection survives

1 dissolution, reorganization, bankruptcy, receivership, assignment for the benefit of  
2 creditors, judicially confirmed extension or composition, or any analogous situation  
3 of the person and shall be set forth in a determination or decision issued under s.  
4 108.10. An appeal or review of a determination under this subsection shall not  
5 include an appeal or review of determinations of amounts owed by the person.

6 **SECTION 1368.** 109.09 (1) of the statutes is amended to read:

7 109.09 (1) The department shall investigate and attempt equitably to adjust  
8 controversies between employers and employees as to regarding alleged wage  
9 claims. The department may receive and investigate any wage claim that is filed  
10 with the department, or received by the department under s. 109.10 (4), no later than  
11 2 years after the date the wages are due. The department may, after receiving a wage  
12 claim, investigate any wages due from the employer against whom the claim is filed  
13 to any employee during the period commencing 2 years before the date the claim is  
14 filed. The department shall enforce this chapter and s. ss. 66.0903, 2013 stats., s.  
15 103.49, 2013 stats., s. 229.8275, 2013 stats., and s. 16.856, 2015 stats., and ss. 103.02,  
16 103.49, 103.82, and 104.12, and 229.8275. In pursuance of this duty, the department  
17 may sue the employer on behalf of the employee to collect any wage claim or wage  
18 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except  
19 for actions under s. 109.10, the department may refer such an action to the district  
20 attorney of the county in which the violation occurs for prosecution and collection and  
21 the district attorney shall commence an action in the circuit court having appropriate  
22 jurisdiction. Any number of wage claims or wage deficiencies against the same  
23 employer may be joined in a single proceeding, but the court may order separate  
24 trials or hearings. In actions that are referred to a district attorney under this  
25 subsection, any taxable costs recovered by the district attorney shall be paid into the

.....  
**SECTION 1368**

1 general fund of the county in which the violation occurs and used by that county to  
2 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office  
3 of the district attorney who prosecuted the action.

4 **SECTION 1369.** 109.09 (3) of the statutes is repealed.

5 **SECTION 1370.** 111.01 of the statutes is created to read:

6 **111.01 Declaration of policy.** The public policy of the state as to employment  
7 relations and collective bargaining, in the furtherance of which this subchapter is  
8 enacted, is declared to be as follows:

9 (1) It recognizes that there are 3 major interests involved, namely: the public,  
10 the employee, and the employer. These 3 interests are to a considerable extent  
11 interrelated. It is the policy of the state to protect and promote each of these interests  
12 with due regard to the situation and to the rights of the others.

13 (2) Industrial peace, regular and adequate income for the employee, and  
14 uninterrupted production of goods and services are promotive of all of these  
15 interests. They are largely dependent upon the maintenance of fair, friendly, and  
16 mutually satisfactory employment relations and the availability of suitable  
17 machinery for the peaceful adjustment of whatever controversies may arise. It is  
18 recognized that certain employers, including farmers, farmer cooperatives, and  
19 unincorporated farmer cooperative associations, in addition to their general  
20 employer problems, face special problems arising from perishable commodities and  
21 seasonal production that require adequate consideration. It is also recognized that  
22 whatever may be the rights of disputants with respect to each other in any  
23 controversy regarding employment relations, they should not be permitted, in the  
24 conduct of their controversy, to intrude directly into the primary rights of 3rd parties

1 to earn a livelihood, transact business, and engage in the ordinary affairs of life by  
2 any lawful means and free from molestation, interference, restraint, or coercion.

3 (3) Negotiations of terms and conditions of work should result from voluntary  
4 agreement between employer and employee. For the purpose of such negotiation an  
5 employee has the right, if the employee desires, to associate with others in organizing  
6 and bargaining collectively through representatives of the employee's own choosing,  
7 without intimidation or coercion from any source.

8 (4) It is the policy of the state, in order to preserve and promote the interests  
9 of the public, the employee, and the employer alike, to establish standards of fair  
10 conduct in employment relations and to provide a convenient, expeditious, and  
11 impartial tribunal by which these interests may have their respective rights and  
12 obligations adjudicated. While limiting individual and group rights of aggression  
13 and defense, the state substitutes processes of justice for the more primitive methods  
14 of trial by combat.

15 SECTION 1371. 111.04 (1) and (2) of the statutes are consolidated, renumbered  
16 111.04 and amended to read:

17 **111.04 Rights of Employees.** Employees shall have the right of  
18 self-organization and the right to form, join or assist labor organizations, to bargain  
19 collectively through representatives of their own choosing, and to engage in lawful,  
20 concerted activities for the purpose of collective bargaining or other mutual aid or  
21 protection. (2) Employees shall also have the right to refrain from self-organization;  
22 ~~forming, joining, or assisting labor organizations; bargaining collectively through~~  
23 ~~representatives; or engaging in activities for the purpose of collective bargaining or~~  
24 ~~other mutual aid or protection~~ such activities.

25 SECTION 1372. 111.04 (3) of the statutes is repealed.

1       **SECTION 1373.** 111.06 (1) (c) of the statutes is amended to read:

2       111.06 (1) (c) To encourage or discourage membership in any labor  
3 organization, employee agency, committee, association, or representation plan by  
4 discrimination in regard to hiring, tenure, or other terms or conditions of  
5 employment except in a collective bargaining unit where an all-union, fair-share,  
6 or maintenance of membership agreement is in effect. An employer may enter into  
7 an all-union agreement with the voluntarily recognized representative of the  
8 employees in a collective bargaining unit, where at least a majority of such employees  
9 voting have voted affirmatively, by secret ballot, in favor of the all-union agreement  
10 in a referendum conducted by the commission, except that where the bargaining  
11 representative has been certified by either the commission or the national labor  
12 relations board as the result of a representation election, no referendum is required  
13 to authorize the entry into an all-union agreement. An authorization of an all-union  
14 agreement continues, subject to the right of either party to the all-union agreement  
15 to petition the commission to conduct a new referendum on the subject. Upon receipt  
16 of the petition, if the commission determines there is reasonable ground to believe  
17 that the employees concerned have changed their attitude toward the all-union  
18 agreement, the commission shall conduct a referendum. If the continuance of the  
19 all-union agreement is supported on a referendum by a vote at least equal to that  
20 provided in this paragraph for its initial authorization, it may continue, subject to  
21 the right to petition for a further vote by the procedure under this paragraph. If the  
22 continuance of the all-union agreement is not supported on a referendum, it  
23 terminates at the expiration of the contract of which it is then a part or at the end  
24 of one year from the date of the announcement by the commission of the result of the  
25 referendum, whichever is earlier. The commission shall declare any all-union

agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employee of such employer. An interested person may, as provided in s. 111.07, request the commission to perform this duty.

**SECTION 1374.** 111.06 (1) (e) of the statutes is amended to read:

111.06 (1) (e) To bargain collectively with the representatives of less than a majority of the employer's employees in a collective bargaining unit, or to enter into an all-union agreement except in the manner provided in par. (c).

**SECTION 1375.** 111.06 (1) (i) of the statutes is amended to read:

111.06 (1) (i) To deduct labor organization dues or assessments from an employee's earnings, unless the employer has been presented with an individual order therefor, signed by the employee personally, and terminable by the employee giving to the employer at least 30 days' written notice of the termination. ~~This paragraph applies to the extent permitted under federal law~~ unless there is an all-union, fair-share, or maintenance of membership agreement in effect. The employer shall give notice to the labor organization of receipt of a notice of termination.

**SECTION 1376.** 111.06 (1) (m) of the statutes is created to read:

111.06 (1) (m) To fail to give the notice of intention to engage in a lockout provided in s. 111.115 (3).

**SECTION 1377.** 111.322 (2m) (a) of the statutes is amended to read:

111.322 (2m) (a) The individual files a complaint or attempts to enforce any right under s. 103.02, 103.10, 103.11, 103.13, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

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.....  
**SECTION 1378**

1       **SECTION 1378.** 111.322 (2m) (b) of the statutes is amended to read:

2       111.322 (2m) (b) The individual testifies or assists in any action or proceeding  
3 held under or to enforce any right under s. 103.02, 103.10, 103.11, 103.13, 103.28,  
4 103.32, 103.34, 103.50, 103.455, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55,  
5 or ss. 101.58 to 101.599 or 103.64 to 103.82.

6       **SECTION 1379.** 111.322 (2m) (c) of the statutes is created to read:

7       111.322 (2m) (c) The individual files a complaint or attempts to enforce a right  
8 under s. 66.0903, 103.49, or 229.8275 or testifies or assists in any action or  
9 proceeding under s. 66.0903, 103.49, or 229.8275.

10       **SECTION 1380.** 111.335 (3) (a) of the statutes is renumbered 111.335 (3) (ar).

11       **SECTION 1381.** 111.335 (3) (ag) of the statutes is created to read:

12       111.335 (3) (ag) 1. Employment discrimination because of a conviction record  
13 includes requesting an applicant for employment, on an application form or  
14 otherwise, to supply information regarding the conviction record of the applicant, or  
15 otherwise inquiring into or considering the conviction record of an applicant for  
16 employment, before the applicant has been selected for an interview by the  
17 prospective employer.

18       2. Subdivision 1. does not prohibit an employer from notifying applicants for  
19 employment that, subject to this section and ss. 111.321 and 111.322, an individual  
20 with a particular conviction record may be disqualified by law or under the  
21 employer's policies from employment in particular positions.

22       **SECTION 1382.** 111.335 (4) (b) of the statutes is amended to read:

23       111.335 (4) (b) It is employment discrimination because of conviction record for  
24 a licensing agency to refuse to license any individual under sub. (3) ~~(a)~~ (ar) 1. or to  
25 bar or terminate an individual from licensing under sub. (3) ~~(a)~~ (ar) 1. because the

1 individual was adjudicated delinquent under ch. 938 for an offense other than an  
2 exempt offense.

3 **SECTION 1383.** 111.335 (4) (c) 1. (intro.) of the statutes is amended to read:

4 111.335 (4) (c) 1. (intro.) If a licensing agency refuses to license an individual  
5 under sub. (3) (a) (ar) 1. or bars or terminates an individual from licensing under sub.  
6 (3) (a) (ar) 1., the licensing agency shall, subject to subd. 2., do all of the following:

7 **SECTION 1384.** 111.335 (4) (e) of the statutes is amended to read:

8 111.335 (4) (e) A state licensing agency that may refuse to license individuals  
9 under sub. (3) (a) (ar) 1. or that may bar or terminate an individual from licensure  
10 under sub. (3) (a) (ar) 1. shall publish on the agency's Internet site a document  
11 indicating the offenses or kinds of offenses that may result in such a refusal, bar, or  
12 termination.

13 **SECTION 1385.** 111.335 (4) (f) 1. of the statutes is amended to read:

14 111.335 (4) (f) 1. A state licensing agency that may refuse to license individuals  
15 under sub. (3) (a) (ar) 1. or that may bar or terminate individuals from licensing  
16 under sub. (3) (a) (ar) 1. shall allow an individual who does not possess a license to,  
17 without submitting a full application and without paying the fees applicable to  
18 applicants, apply to the agency for a determination of whether the individual would  
19 be disqualified from obtaining the license due to his or her conviction record.

20 **SECTION 1386.** 115.28 (7) (a) of the statutes is amended to read:

21 115.28 (7) (a) License all teachers for the public schools of the state; make rules  
22 establishing standards of attainment and procedures for the examination and  
23 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191,  
24 118.1915, 118.192, 118.193, 118.194, and 118.195, ~~and 118.197~~; prescribe by rule  
25 standards, requirements, and procedures for the approval of teacher preparatory

.....  
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1 programs leading to licensure, including a requirement that, beginning on July 1,  
2 2012, and annually thereafter, each teacher preparatory program located in this  
3 state shall submit to the department a list of individuals who have completed the  
4 program and who have been recommended by the program for licensure under this  
5 subsection, together with each individual's date of program completion, from each  
6 term or semester of the program's most recently completed academic year; file in the  
7 state superintendent's office all papers relating to state teachers' licenses; and  
8 register each such license.

9 **SECTION 1387.** 115.28 (7) (b) of the statutes is amended to read:

10 115.28 (7) (b) Subject to the same rules and laws concerning qualifications of  
11 applicants and granting and revocation of licenses or certificates under par. (a), the  
12 state superintendent shall grant certificates and licenses to teachers in private  
13 schools and tribal schools, except that teaching experience requirements for such  
14 certificates and licenses may be fulfilled by teaching experience in public, private,  
15 or tribal schools. An applicant is not eligible for a license or certificate unless the  
16 state superintendent finds that the private school or tribal school in which the  
17 applicant taught offered an adequate educational program during the period of the  
18 applicant's teaching therein. Private Except as provided under ss. 115.7915 (2) (i),  
19 118.60 (2) (a) 6m., and 119.23 (2) (a) 6m., private schools are not obligated to employ  
20 only licensed or certified teachers.

21 **SECTION 1388.** 115.28 (10m) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 115.28 (10m). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1704/P4 and LRB-2165/P1.

22 **SECTION 1389.** 115.28 (10o) of the statutes is repealed.

23 **SECTION 1390.** 115.28 (15) (a) of the statutes is amended to read:

1           115.28 (15) (a) Establish, by rule, standards for the approval of the abilities of  
2           certified teachers and counselors and their aides participating in  
3           bilingual-bicultural education programs under subch. VII VIII to read, write and  
4           speak a non-English language and to possess knowledge of the culture of  
5           limited-English proficient pupils.

6           **SECTION 1391.** 115.28 (15) (b) of the statutes is amended to read:

7           115.28 (15) (b) Establish, by rule, minimum standards for bilingual-bicultural  
8           education programs under subch. VII VIII.

9           **SECTION 1392.** 115.28 (27) of the statutes is amended to read:

10          115.28 (27) WISELEARN. Develop and maintain an online resource, called  
11          WISElearn, to provide educational resources for parents, teachers, and pupils; offer  
12          online learning opportunities; provide regional technical support centers; provide  
13          professional development for teachers; and enable video conferencing; and support  
14          digital archiving projects in public libraries.

15          **SECTION 1393.** 115.28 (45) of the statutes is amended to read:

16          115.28 (45) GRANTS FOR BULLYING PREVENTION. From the appropriation under  
17          s. 20.255 (3) (eb), annually award grants a grant to a the nonprofit organization, as  
18          defined in s. 108.02 (19), that received an award under this subsection in the 2017-18  
19          and 2018-19 school years to provide training and an online bullying prevention  
20          curriculum for pupils in grades kindergarten to 8.

21          **SECTION 1394.** 115.28 (54m) of the statutes is amended to read:

22          115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the  
23          department's Internet site a link to information about all of the educational options  
24          available to children in the state who are at least 3 years old but not yet 18 years old,  
25          including public schools, private schools participating in a parental choice program,

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1 charter schools, virtual schools, full-time or part-time open enrollment in a  
2 nonresident school district, the ~~early college credit program~~ programs under ss.  
3 36.25 (56) and 38.12 (15), and options for pupils enrolled in a home-based private  
4 educational program.

5 **SECTION 1395.** 115.28 (63) (title) of the statutes is renumbered 115.362 (title)  
6 and amended to read:

7 **115.362** (title) **Mental health and school climate training program**  
8 **programs and grants.**

9 **SECTION 1396.** 115.28 (63) of the statutes is renumbered 115.362 (1), and  
10 115.362 (1) (intro.), as renumbered, is amended to read:

11 115.362 (1) (intro.) ~~Establish~~ The department shall establish a mental health  
12 training support program under which the department provides training on pupil  
13 mental health, strategies to improve school climate, and school safety. The  
14 department shall provide training on all of the following evidence-based strategies  
15 related to addressing mental health issues in schools to school district staff and  
16 instructional staff of charter schools under s. 118.40 (2r) or (2x):

17 **SECTION 1397.** 115.28 (65) of the statutes is amended to read:

18 115.28 (65) WISCONSIN READING CORPS. ~~In the 2017-18 and 2018-19 school~~  
19 ~~years,~~ Annually distribute the amounts appropriated under s. 20.255 (3) (fr) to  
20 Wisconsin Reading Corps to provide one-on-one tutoring if Wisconsin Reading  
21 Corps provides matching funds of \$250,000 in each school year.

22 **SECTION 1398.** 115.28 (66) of the statutes is created to read:

23 115.28 (66) PRINCIPAL TRAINING AND SUPPORT; URBAN SCHOOL DISTRICTS. Annually,  
24 award a grant to a nonprofit organization or an urban school district for the purpose  
25 of providing training, coaching, and professional support to principals employed by

1 urban school districts. For purposes of this subsection, "urban school district" has  
2 the meaning given in s. 115.42 (1c) (b).

3 **SECTION 1399.** 115.335 of the statutes is created to read:

4 **115.335 Water filtration grants.** (1) Beginning in the 2019-20 school year,  
5 the department shall award grants to school districts to purchase water bottle filling  
6 equipment that includes a water filtration component.

7 (2) The department shall promulgate rules to implement and administer this  
8 section.

9 **SECTION 1400.** 115.341 of the statutes is amended to read:

10 **115.341 School breakfast program.** (1) From the appropriation under s.  
11 20.255 (2) (cm), the state superintendent shall reimburse each school board, each  
12 operator of a charter school under s. 118.40 (2r) or (2x), each operator of a residential  
13 care center for children and youth, as defined in s. 115.76 (14g), the director of the  
14 program under s. 115.52, and the director of the center under s. 115.525 15 cents for  
15 each breakfast served at a school, as defined in 7 CFR 220.2, that meets the  
16 requirements of 7 CFR 220.8 ~~or 220.8a, whichever is applicable~~, and shall reimburse  
17 each governing body of a private school or tribal school 15 cents for each breakfast  
18 served at the private school or tribal school that meets the requirements of 7 CFR  
19 220.8 ~~or 220.8a, whichever is applicable~~.

20 (2) If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient  
21 to pay the full amount of aid under this section, the state superintendent shall  
22 prorate state aid payments among the school boards, operators, directors, and  
23 governing bodies of private schools and tribal schools entitled to the aid under sub.  
24 (1).

25 **SECTION 1401.** 115.341 (3) of the statutes is created to read:

1           115.341 (3) Notwithstanding sub. (1), the state superintendent may not  
2 reimburse the operator of a charter school under s. 118.40 (2r) or (2x), the operator  
3 of a residential care center for children and youth, as defined in s. 115.76 (14g), the  
4 director of the program under s. 115.52, the director of the center under s. 115.525,  
5 or the governing body of a private or tribal school for any breakfasts served at a  
6 school, as defined in 7 CFR 220.2, during the prior school year if the school ceased  
7 operations during that prior school year.

8           **SECTION 1402.** 115.362 (2) of the statutes is created to read:

9           115.362 (2) From the appropriation under s. 20.255 (1) (ep), the department  
10 shall annually award all of the following:

11           (a) A grant to the Wisconsin Safe and Healthy Schools Training and Technical  
12 Assistance Center.

13           (b) A grant to Wisconsin Family Ties, Inc., to train individuals to help families  
14 understand and access mental health services that are available to children in school  
15 and in the community.

16           (c) A grant to the Center for Suicide Awareness, Inc., to support staff, training,  
17 and expenses related to operating a text-based suicide prevention program.

18           **SECTION 1403.** 115.362 (3) of the statutes is created to read:

19           115.362 (3) The department may promulgate rules to implement and  
20 administer this section.

21           **SECTION 1404.** 115.363 (2) (b) of the statutes is amended to read:

22           115.363 (2) (b) The school board shall pay to each nonprofit corporation with  
23 which it contracts under par. (a) an amount that is no more than the amount paid  
24 per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p~~ 2q. in the current school year  
25 multiplied by the number of pupils participating in the program under the contract.

1           **SECTION 1405.** 115.364 (1) (a) of the statutes is amended to read:

2           115.364 (1) (a) “Eligible independent charter school” is a school under contract  
3 with one of the entities under s. 118.40 (2r) (b) 1. or with the director under s. 118.40  
4 (2x) that increased the amount it expended in the preceding school year to employ,  
5 hire, or retain ~~social workers~~ pupil services professionals over the amount it  
6 expended in the school year immediately preceding the preceding school year to  
7 employ, hire, or retain ~~social workers~~ pupil services professionals.

8           **SECTION 1406.** 115.364 (1) (am) of the statutes is amended to read:

9           115.364 (1) (am) “Eligible private school” means a private school participating  
10 in a parental choice program under s. 118.60 or 119.23 that increased the amount it  
11 expended in the preceding school year to employ, hire, or retain ~~social workers~~ pupil  
12 services professionals over the amount it expended in the school year immediately  
13 preceding the preceding school year to employ, hire, or retain ~~social workers~~ pupil  
14 services professionals.

15           **SECTION 1407.** 115.364 (1) (b) of the statutes is amended to read:

16           115.364 (1) (b) “Eligible school district” is a school district that increased the  
17 amount it expended in the preceding school year to employ, hire, or retain ~~social~~  
18 ~~workers~~ pupil services professionals over the amount it expended in the school year  
19 immediately preceding the preceding school year to employ, hire, or retain ~~social~~  
20 ~~workers~~ pupil services professionals.

21           **SECTION 1408.** 115.364 (1) (c) of the statutes is created to read:

22           115.364 (1) (c) “Pupil services professional” means a school counselor, school  
23 social worker, school psychologist, or school nurse.

24           **SECTION 1409.** 115.364 (2) (a) 1. of the statutes is amended to read:

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1           115.364 (2) (a) 1. Subject to par. (b), from the appropriation under s. 20.255 (2)  
2           (da), pay to an eligible school district an amount equal to 50 percent of the amount  
3           by which the school district increased its expenditures in the preceding school year  
4           to employ, hire, or retain ~~social workers~~ pupil services professionals over the amount  
5           it expended in the school year immediately preceding the preceding school year to  
6           employ, hire, or retain ~~social workers~~ pupil services professionals.

7           **SECTION 1410.** 115.364 (2) (a) 2. of the statutes is amended to read:

8           115.364 (2) (a) 2. Subject to par. (b), from the appropriation under s. 20.255 (2)  
9           (da), pay to an eligible independent charter school an amount equal to 50 percent of  
10          the amount by which the independent charter school increased its expenditures in  
11          the preceding school year to employ, hire, or retain ~~social workers~~ pupil services  
12          professionals over the amount it expended in the school year immediately preceding  
13          the preceding school year to employ, hire, or retain ~~social workers~~ pupil services  
14          professionals.

15          **SECTION 1411.** 115.364 (2) (a) 3. of the statutes is amended to read:

16          115.364 (2) (a) 3. Subject to par. (b), from the appropriation under s. 20.255 (2)  
17          (da), pay to an eligible private school an amount equal to 50 percent of the amount  
18          by which the private school increased its expenditures in the preceding school year  
19          to employ, hire, or retain ~~social workers~~ pupil services professionals over the amount  
20          it expended in the school year immediately preceding the preceding school year to  
21          employ, hire, or retain ~~social workers~~ pupil services professionals.

22          **SECTION 1412.** 115.364 (2) (b) 2. a. of the statutes is amended to read:

23          115.364 (2) (b) 2. a. Subject to subd. 2. b., if, after making the payments  
24          required under par. (a), moneys remain in the appropriation account under s. 20.255  
25          (2) (da), the state superintendent shall reimburse eligible school districts, private

1 schools participating in a parental choice program under s. 118.60 or 119.23, and  
2 independent charter schools under contract with one of the entities under s. 118.40  
3 (2r) (b) 1. or with the director under s. 118.40 (2x) for an amount equal to  
4 expenditures made by the school district, private school, or independent charter  
5 school in the preceding school year to employ, hire, or retain social workers pupil  
6 services professionals less the any amount of increased expenditures for which the  
7 school district, private school, or independent charter school was reimbursed under  
8 par. (a).

9 **SECTION 1413.** 115.364 (2) (b) 2. b. of the statutes is amended to read:

10 115.364 (2) (b) 2. b. If the appropriation under s. 20.255 (2) (da) in any fiscal  
11 year is insufficient to pay the full amount of aid under subd. 2. a., the state  
12 superintendent shall prorate state aid payments among the school districts, private  
13 schools, and independent charter schools eligible for the aid.

14 **SECTION 1414.** 115.385 (1) (d) 1. of the statutes is repealed.

15 **SECTION 1415.** 115.385 (4) of the statutes is amended to read:

16 115.385 (4) Annually, each public school, including a charter school, and each  
17 private school participating in a parental choice program under s. 118.60 or 119.23  
18 shall provide a copy of the school's accountability report to the parent or guardian of  
19 each pupil enrolled in or attending the school. Each school shall simultaneously  
20 provide to the parent or guardian of each pupil enrolled in the school a list of the  
21 educational options available to children who reside in the pupil's resident school  
22 district, including public schools, private schools participating in a parental choice  
23 program, charter schools, virtual schools, full-time or part-time open enrollment in  
24 a nonresident school district, the early college credit program programs under ss.

.....  
**SECTION 1415**

1 36.25 (56) and 38.12 (15), and options for pupils enrolled in a home-based private  
2 educational program.

3 **SECTION 1416.** 115.387 of the statutes, as affected by 2019 Wisconsin Act ....  
4 (this act), is repealed.

5 **SECTION 1417.** 115.387 (1) (d) 1. of the statutes is amended to read:

6 115.387 (1) (d) 1. For purposes of a public school that is under the control of a  
7 school board, “number of pupils enrolled” has the meaning given for “pupils enrolled”  
8 in s. ~~115.437 (1)~~ 121.004 (7).

9 **SECTION 1418.** 115.417 of the statutes is created to read:

10 **115.417 Minority teacher grant program.** (1) In this section, “minority”  
11 means an individual who is any of the following:

12 (a) A Black American.

13 (b) An American Indian.

14 (c) A Hispanic, as defined in s. 16.287 (1) (d).

15 (d) A person admitted to the United States after December 31, 1975, who is  
16 either a former citizen of Laos, Vietnam, or Cambodia or whose ancestor was or is a  
17 citizen of Laos, Vietnam, or Cambodia.

18 (2) Beginning in the 2019-20 school year, from the appropriation under s.  
19 20.255 (2) (ej), the department shall award grants, on a competitive basis, to school  
20 districts to recruit minorities to teach in the school district. The department shall  
21 do all of the following in awarding grants under this subsection:

22 (a) Award 50 percent of the amount appropriated under s. 20.255 (2) (ej) to a  
23 1st class city school district.

24 (b) Award 50 percent to school districts that are not a 1st class city school  
25 district.

(c) Give preference in awarding funding under par. (b) to school districts that have a high percentage of pupils who are minorities, as defined by the department by rule.

(3) The department may promulgate rules to implement and administer this section.

**SECTION 1419.** 115.42 (1) of the statutes is renumbered 115.42 (1m), and 115.42 (1m) (a) 1., as renumbered, is amended to read:

115.42 (1m) (a) 1. The person is certified by the National Board for Professional Teaching Standards or licensed by the department as a master educator under s. PI 34.19 34.042, Wis. Adm. Code.

**SECTION 1420.** 115.42 (1c) of the statutes is created to read:

115.42 (1c) In this section:

(a) "Pupils enrolled" has the meaning given in s. 121.004 (7).

(b) "Urban school district" means a school district that satisfies any of the following:

1. The number of pupils enrolled in the school district in the 2018-19 school year was at least 18,000.

2. The number of pupils enrolled in the school district in the previous school year was at least 18,000.

**SECTION 1421.** 115.42 (2) (a) (intro.) of the statutes is amended to read:

115.42 (2) (a) (intro.) Except as provided in par. (c), the department shall award 9 grants of \$2,500 each to each person who received a grant under sub. (1) (1m) if the person satisfies all of the following requirements:

**SECTION 1422.** 115.42 (2) (bL) of the statutes is amended to read:

.....  
**SECTION 1422**

1           115.42 (2) (bL) The department shall award the grants under this subsection  
2 annually, one grant in each of the school years following the school year in which the  
3 grant under sub. (1) (1m) was awarded and in which the person satisfies the  
4 requirements under par. (a).

5           **SECTION 1423.** 115.42 (2) (c) of the statutes is renumbered 115.42 (2) (c) 1.  
6 (intro.) and amended to read:

7           115.42 (2) (c) 1. (intro.) The amount of each a grant under par. (a) ~~shall be~~  
8 ~~\$5,000~~ is \$10,000 in any school year in which the recipient is employed in a school  
9 ~~in which at~~ that satisfies all of the following:

10           a. At least 60 percent of the pupils enrolled at the school satisfy the income  
11 eligibility criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

12           **SECTION 1424.** 115.42 (2) (c) 1. b. of the statutes is created to read:

13           115.42 (2) (c) 1. b. The school is not located in an urban school district.

14           **SECTION 1425.** 115.42 (2) (c) 2. of the statutes is created to read:

15           115.42 (2) (c) 2. The amount of a grant under par. (a) is \$15,000 in any school  
16 year in which the recipient is employed in a school that satisfies all of the following:

17           a. At least 60 percent of the pupils enrolled at the school satisfy the income  
18 eligibility criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

19           b. The school is located in an urban school district.

20           **SECTION 1426.** 115.42 (2) (d) of the statutes is amended to read:

21           115.42 (2) (d) In any of the 9 school years following the receipt of a grant under  
22 sub. (1) (1m) in which the grant recipient is evaluated under s. 115.415, if the grant  
23 recipient is placed in a performance category other than the “effective” or “highly  
24 effective” performance category in the applicable educator effectiveness system, as

1 determined by the department, he or she is not eligible for a grant under this  
2 subsection in that school year.

3 **SECTION 1427.** 115.436 (2) (intro.) of the statutes is amended to read:

4 115.436 (2) (intro.) A school district is eligible for sparsity aid under this section  
5 if it the school district's membership in the previous school year divided by the school  
6 district's area in square miles is less than 10 and the school district satisfies all one  
7 of the following criteria:

8 **SECTION 1428.** 115.436 (2) (b) of the statutes is created to read:

9 115.436 (2) (b) The school district's membership in the previous school year was  
10 greater than 745.

11 **SECTION 1429.** 115.436 (2) (c) of the statutes is repealed.

12 **SECTION 1430.** 115.436 (3) (a) of the statutes is amended to read:

13 115.436 (3) (a) ~~Beginning in~~ In the 2018-19 and 2019-20 school year years,  
14 from the appropriation under s. 20.255 (2) (ae) and subject to par. (b), the department  
15 shall pay to each school district eligible for sparsity aid \$400 multiplied by the  
16 membership in the previous school year.

17 **SECTION 1431.** 115.436 (3) (ac) of the statutes is created to read:

18 115.436 (3) (ac) Beginning in the 2020-21 school year, from the appropriation  
19 under s. 20.255 (2) (ae) and subject to par. (b), the department shall pay all of the  
20 following:

21 1. To each school district eligible for sparsity aid under sub. (2) (a), \$400  
22 multiplied by the school district's membership in the previous school year.

23 2. To each school district eligible for sparsity aid under sub. (2) (b), \$100  
24 multiplied by the school district's membership in the previous school year.

25 **SECTION 1432.** 115.436 (3) (ag) of the statutes is created to read:

1           115.436 (3) (ag) Beginning in the 2020-21 school year, from the appropriation  
2           under s. 20.255 (2) (ae), the department shall, subject to par. (b), pay to each school  
3           district that received aid under this section in the previous school year but does not  
4           satisfy the number of pupils per square mile requirement under sub. (2) in the  
5           current school year 50 percent of the amount the school district received under par.  
6           (a) or (ac) in the previous school year.

7           **SECTION 1433.** 115.436 (3) (am) of the statutes is amended to read:

8           115.436 (3) (am) ~~Beginning in~~ In the 2017-18, 2018-19, and 2019-20 school  
9           ~~year~~ years, from the appropriation under s. 20.255 (2) (ae), the department shall,  
10          subject to par. (b), pay to each school district that received aid under this section in  
11          the previous school year but does not satisfy the requirement under sub. (2) (a) in the  
12          current school year 50 percent of the amount received by the school district under  
13          par. (a) in the previous school year.

14          **SECTION 1434.** 115.436 (3) (b) of the statutes is amended to read:

15          115.436 (3) (b) If the appropriation under s. 20.255 (2) (ae) in any fiscal year  
16          is insufficient to pay the full amount under pars. ~~(a), (am)~~ (ac), (ag), and (ap), the  
17          department shall prorate the payments among the school districts entitled to aid  
18          under this subsection.

19          **SECTION 1435.** 115.437 (2) (a) of the statutes is amended to read:

20          115.437 (2) (a) Except as provided in par. (b), annually on the 4th Monday of  
21          March, the department shall pay to each school district an amount equal to the  
22          average of the number of pupils enrolled in the school district in the current and 2  
23          preceding school years multiplied by \$75 in the 2013-14 school year, by \$150 in the  
24          2014-15 and 2015-16 school years, by \$250 in the 2016-17 school year, by \$450 in  
25          the 2017-18 school year, and by \$654 in the 2018-19 school year, ~~and by \$630 in each~~