



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0603/1
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**SENATE AMENDMENT 14,
TO ASSEMBLY BILL 56**

June 26, 2019 - Offered by Senator LARSON.

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** At the appropriate places, insert all of the following:

4 “**SECTION 1.** 104.001 of the statutes is repealed.

5 **SECTION 2.** 104.01 (1g) of the statutes is created to read:

6 104.01 (**1g**) “Consumer price index” means the average of the consumer price
7 index over each 12-month period for all urban consumers, U.S. city average, all
8 items, not seasonally adjusted, as determined by the bureau of labor statistics of the
9 U.S. department of labor.

10 **SECTION 3.** 104.01 (5g) of the statutes is repealed.

11 **SECTION 4.** 104.01 (7m) of the statutes is repealed.

12 **SECTION 5.** 104.035 of the statutes is repealed and recreated to read:

1 **104.035 Minimum wage; established. (1) EMPLOYEES GENERALLY.** Except
2 as provided in subs. (2) and (3), the minimum wage is as follows:

3 (a) For wages earned before the first day of the 15th month beginning after
4 publication [LRB inserts date], \$8.50 per hour.

5 (b) For wages earned beginning on the first day of the 15th month beginning
6 after publication [LRB inserts date], and ending on the last day of the 26th month
7 beginning after publication [LRB inserts date], \$10 per hour.

8 (c) For wages earned beginning on the first day of the 27th month beginning
9 after publication [LRB inserts date], and ending on the last day of the 38th month
10 beginning after publication [LRB inserts date], \$11.50 per hour.

11 (d) For wages earned beginning on the first day of the 39th month beginning
12 after publication [LRB inserts date], and ending on the last day of the 50th month
13 beginning after publication [LRB inserts date], \$13 per hour.

14 (e) For wages earned beginning on the first day of the 51st month beginning
15 after publication [LRB inserts date], and ending on the last day of the 62nd month
16 beginning after publication [LRB inserts date], \$14 per hour.

17 (f) For wages earned beginning on the first day of the 63rd month beginning
18 after publication [LRB inserts date], and ending on the last day of the 74th month
19 beginning after publication [LRB inserts date], \$15 per hour.

20 (g) For wages earned beginning on the first day of the 75th month beginning
21 after publication [LRB inserts date], the amount determined by the department
22 by rule promulgated under sub. (4).

23 **(2) MINIMUM WAGE ESTABLISHED BY DEPARTMENT.** The department shall
24 promulgate rules providing the minimum wage for all of the following:

25 (a) Opportunity employees.

1 (b) Agricultural employees.

2 (c) Camp counselors.

3 (d) Golf caddies.

4 (e) An employee or worker with a disability covered under a license under s.
5 104.07.

6 (f) A student learner.

7 (g) A student employed by an independent college or university for less than
8 20 hours per week.

9 **(3) EMPLOYMENT EXEMPTED BY DEPARTMENT.** The department shall promulgate
10 rules exempting from the minimum wage requirement under subs. (1) and (2) all of
11 the following:

12 (a) A person engaged in casual employment in and around an employer's home
13 on an irregular or intermittent basis for not more than 15 hours per week.

14 (b) A person who resides in the home of an employer who, due to advanced age
15 or physical or mental disability, cannot care for his or her own needs, for the purpose
16 of companionship and who spends not more than 15 hours per week on general
17 household work for the employer.

18 (c) An elementary or secondary school student performing student work-like
19 activities in the student's school.

20 **(4) DEPARTMENT TO REVISE.** (a) 1. Subject to par. (b), by the date specified in sub.
21 (1) (g) and annually thereafter, the department shall promulgate rules to revise the
22 minimum wages established under sub. (1). Subject to subd. 2., the department shall
23 determine the revised minimum wages by calculating the percentage difference
24 between the consumer price index for the 12-month period ending on the last day of
25 the last month for which that information is available and the consumer price index

1 for the 12-month period ending on the last day of the month 12 months prior to that
2 month, adjusting the minimum wage then in effect by that percentage difference,
3 and rounding that result to the nearest multiple of 5 cents.

4 2. The department may use the emergency rule procedures under s. 227.24 to
5 promulgate the rules required under subd. 1. Notwithstanding s. 227.24 (1) (a) and
6 (3), the department may promulgate those rules as emergency rules without
7 providing evidence that promulgating those rules as emergency rules is necessary
8 to preserve the public peace, health, safety, or welfare and without a finding of
9 emergency. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., the department is not
10 required to prepare a statement of the scope of those rules or to submit those rules
11 in final draft form to the governor for approval. A revised minimum wage
12 determined under subd. 1. shall first apply to wages earned on the first day of the
13 3rd month beginning after the month of publication ... [LRB inserts date], of the year
14 in which the wage is revised and, notwithstanding s. 227.24 (1) (c) and (2), shall
15 remain in effect until that same date the following year.

16 (b) Paragraph (a) 1. does not apply if the consumer price index for the 12-month
17 period ending on the last day of the last month for which that information is available
18 has not increased over the consumer price index for the 12-month period ending on
19 the last day of the month 12 months prior to that month.

20 (5) GENDER-SPECIFIC MINIMUM WAGE PROHIBITED. The department may not
21 establish a different minimum wage for men and women.

22 **SECTION 6.** 104.045 (title) of the statutes is amended to read:

23 **104.045 (title) ~~Tips, meals, Meals, lodging, and hours worked.~~**

24 **SECTION 7.** 104.045 (1) of the statutes is repealed.

25 **SECTION 8. Effective date.**

