



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4798/P2
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 16.3085 (2) (b) 2., 38.40 (2), 46.56 (14) (a), 49.143 (2) (a) 4m.
2 e., 49.163 (4) (intro.), 49.79 (9) (a) 1., 60.85 (7) (a), 60.85 (7) (b), 66.1103 (6m),
3 66.1105 (6c) (a), 66.1105 (6c) (b), 71.07 (2dx) (a) 5., 71.07 (5r) (b) 2., 71.28 (1dx)
4 (a) 5., 71.28 (5r) (b) 2., 71.47 (1dx) (a) 5., 71.47 (5r) (b) 2., 76.636 (1) (e) 12.,
5 106.11, 106.13 (2), 106.15 (1) (a), 106.15 (1) (b), 106.15 (1) (c), 106.15 (1) (d),
6 106.15 (7), 106.16 (2), 106.27 (1m), 109.07 (1m) (a), 115.28 (24), 238.30 (4m) and
7 946.13 (10) of the statutes; **relating to:** updating references to the federal
8 Workforce Innovation and Opportunity Act (suggested as remedial legislation
9 by the Department of Workforce Development).

Analysis by the Legislative Reference Bureau

This bill updates references to the federal Workforce Investment Act of 1998, which was repealed and largely replaced by the federal Workforce Innovation and Opportunity Act of 2014.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Workforce Development and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 16.3085 (2) (b) 2. of the statutes is amended to read:

16.3085 (2) (b) 2. Employment-related services, including connecting parents who are job training graduates or who have a recent work history with their local workforce development board established under 29 USC ~~2832~~ 3122 and assisting them with using the job center website maintained by the department of workforce development.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 2. 38.40 (2) of the statutes is amended to read:

38.40 (2) INTERAGENCY ASSISTANCE. The council on workforce investment established under 29 USC ~~2821~~ 3111 and the department of public instruction shall assist the board in providing the technical preparation, school-to-work, and work-based learning programs under sub. (1m).

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 3. 46.56 (14) (a) of the statutes is amended to read:

46.56 (14) (a) In order to support the development of a comprehensive service system of coordinated care for children who are involved in 2 or more systems of care and their families, the department shall establish a state advisory committee with representatives of county departments and tribal governing bodies, the department

1 of public instruction, educational agencies, the department of children and families,
2 the department of corrections, the juvenile correctional system, professionals
3 experienced in the provision of services to children who are involved in 2 or more
4 systems of care and their families, advocates for such families and their children, the
5 subunit of the department of workforce development that administers vocational
6 rehabilitation, a representative of the local workforce development board
7 established under 29 USC ~~2832~~ 3122, a representative of the philanthropy
8 community, the technical college system, health care providers, courts assigned to
9 exercise jurisdiction under chs. 48 and 938, child welfare officials, and other
10 appropriate persons as selected by the department. The department may use an
11 existing committee for this purpose if it has representatives from the listed groups
12 and is willing to perform the required functions. This committee shall establish
13 principles and core values for administering initiatives, monitor the development of
14 initiatives throughout the state, and support communication and mutual assistance
15 among operating initiatives as well as those that are being developed.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

16 **SECTION 4.** 49.143 (2) (a) 4m. e. of the statutes is amended to read:
17 49.143 **(2)** (a) 4m. e. Coordinate with local workforce development boards
18 established under 29 USC ~~2832~~ 3122 to ensure compatibility of purpose and no
19 duplication of effort.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

20 **SECTION 5.** 49.163 (4) (intro.) of the statutes is amended to read:
21 49.163 **(4)** CONTRACT FOR ADMINISTRATION. (intro.) The department may
22 contract with any person to administer the program under this section, including a

1 Wisconsin Works agency; county department under s. 46.215, 46.22, or 46.23; local
2 workforce development board established under 29 USC 2832 3122; or community
3 action agency under s. 49.265. The department, or the agency or agencies with which
4 the department contracts under this subsection, shall do all of the following:

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

5 **SECTION 6.** 49.79 (9) (a) 1. of the statutes is amended to read:

6 49.79 (9) (a) 1. The department shall administer an employment and training
7 program for recipients under the food stamp program and may contract with county
8 departments under ss. 46.215, 46.22, and 46.23, multicounty consortia, local
9 workforce development boards established under 29 USC 2832 3122, tribal
10 governing bodies, or other organizations to carry out the administrative functions.
11 A county department, multicounty consortium, local workforce development board,
12 tribal governing body, or other organization may subcontract with a Wisconsin
13 Works agency or another provider to administer the employment and training
14 program under this subsection.

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

15 **SECTION 7.** 60.85 (7) (a) of the statutes is amended to read:

16 60.85 (7) (a) Any person who operates for profit and is paid project costs under
17 sub. (1) (h) 1. a., d., i., and j. in connection with the project plan for a tax incremental
18 district shall notify the department of workforce development and the local
19 workforce development board established under 29 USC 2832 3122 of any positions
20 to be filled in the county in which the town that created the tax incremental district
21 is located during the period commencing with the date the person first performs work

1 on the project and ending one year after receipt of its final payment of project costs.

2 The person shall provide this notice at least 2 weeks prior to advertising the position.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

3 **SECTION 8.** 60.85 (7) (b) of the statutes is amended to read:

4 60.85 (7) (b) Any person who operates for profit and buys or leases property in
5 a tax incremental district from a town for which the town incurs real property
6 assembly costs under sub. (1) (h) 1. c. shall notify the department of workforce
7 development and the local workforce development board established under 29 USC
8 ~~2832~~ 3122 of any position to be filled in the county in which the town creating the tax
9 incremental district is located within one year after the sale or commencement of the
10 lease. The person shall provide this notice at least 2 weeks prior to advertising the
11 position.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

12 **SECTION 9.** 66.1103 (6m) of the statutes is amended to read:

13 66.1103 (6m) NOTIFICATION OF POSITION OPENINGS. A municipality or county may
14 not enter into a revenue agreement with any person who operates for profit unless
15 that person has agreed to notify the department of workforce development and the
16 local workforce development board established under 29 USC ~~2832~~ 3122, of any
17 position to be filled in that municipality or county within one year after issuance of
18 the revenue bonds. The person shall provide this notice at least 2 weeks before
19 advertising the position. The notice required by this subsection does not affect the
20 offer of employment requirements of sub. (4s).

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

21 **SECTION 10.** 66.1105 (6c) (a) of the statutes is amended to read:

1 66.1105 **(6c)** (a) Any person who operates for profit and is paid project costs
2 under sub. (2) (f) 1. a., d., j. and k. in connection with the project plan for a tax
3 incremental district shall notify the department of workforce development and the
4 local workforce development board established under 29 USC ~~2832~~ 3122, of any
5 positions to be filled in the county in which the city which created the tax incremental
6 district is located during the period commencing with the date the person first
7 performs work on the project and ending one year after receipt of its final payment
8 of project costs. The person shall provide this notice at least 2 weeks prior to
9 advertising the position.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

10 **SECTION 11.** 66.1105 (6c) (b) of the statutes is amended to read:

11 66.1105 **(6c)** (b) Any person who operates for profit and buys or leases property
12 in a tax incremental district from a city for which the city incurs real property
13 assembly costs under sub. (2) (f) 1. c. shall notify the department of workforce
14 development and the local workforce development board established under 29 USC
15 ~~2832~~ 3122, of any position to be filled in the county in which the city creating the tax
16 incremental district is located within one year after the sale or commencement of the
17 lease. The person shall provide this notice at least 2 weeks prior to advertising the
18 position.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

19 **SECTION 12.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

20 71.07 **(2dx)** (a) 5. "Member of a targeted group" means a person who resides
21 in an area designated by the federal government as an economic revitalization area,
22 a person who is employed in an unsubsidized job but meets the eligibility

1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
2 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
3 in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who
4 is eligible for child care assistance under s. 49.155, a person who is a vocational
5 rehabilitation referral, an economically disadvantaged youth, an economically
6 disadvantaged veteran, a supplemental security income recipient, a general
7 assistance recipient, an economically disadvantaged ex-convict, a qualified summer
8 youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in
9 29 USC 2801 (9) 3102 (15), or a food stamp recipient, if the person has been certified
10 in the manner under s. 71.07 (2dj) (am) 3., 2013 stats., by a designated local agency,
11 as defined in s. 71.07 (2dj) (am) 2., 2013 stats.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

12 **SECTION 13.** 71.07 (5r) (b) 2. of the statutes is amended to read:

13 71.07 (5r) (b) 2. Thirty percent of the tuition that the claimant paid or incurred
14 for an individual to participate in an education program of a qualified postsecondary
15 institution, if the individual was enrolled in a course of instruction that relates to a
16 projected worker shortage in this state, as determined by the local workforce
17 development boards established under 29 USC 2832 3122, and if the individual was
18 eligible for a grant from the Federal Pell Grant Program.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

19 **SECTION 14.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

20 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
21 in an area designated by the federal government as an economic revitalization area,
22 a person who is employed in an unsubsidized job but meets the eligibility

1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
2 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
3 in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who
4 is eligible for child care assistance under s. 49.155, a person who is a vocational
5 rehabilitation referral, an economically disadvantaged youth, an economically
6 disadvantaged veteran, a supplemental security income recipient, a general
7 assistance recipient, an economically disadvantaged ex-convict, a qualified summer
8 youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in
9 29 USC 2801 (9) 3102 (15), or a food stamp recipient, if the person has been certified
10 in the manner under s. 71.28 (1dj) (am) 3., 2013 stats., by a designated local agency,
11 as defined in s. 71.28 (1dj) (am) 2., 2013 stats.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

12 **SECTION 15.** 71.28 (5r) (b) 2. of the statutes is amended to read:

13 71.28 (5r) (b) 2. Thirty percent of the tuition that the claimant paid or incurred
14 for an individual to participate in an education program of a qualified postsecondary
15 institution, if the individual was enrolled in a course of instruction that relates to a
16 projected worker shortage in this state, as determined by the local workforce
17 development boards established under 29 USC 2832 3122, and if the individual was
18 eligible for a grant from the Federal Pell Grant Program.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

19 **SECTION 16.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

20 71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides
21 in an area designated by the federal government as an economic revitalization area,
22 a person who is employed in an unsubsidized job but meets the eligibility

1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
2 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
3 in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who
4 is eligible for child care assistance under s. 49.155, a person who is a vocational
5 rehabilitation referral, an economically disadvantaged youth, an economically
6 disadvantaged veteran, a supplemental security income recipient, a general
7 assistance recipient, an economically disadvantaged ex-convict, a qualified summer
8 youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in
9 29 USC 2801 (9) 3102 (15), or a food stamp recipient, if the person has been certified
10 in the manner under s. 71.47 (1dj) (am) 3., 2013 stats., by a designated local agency,
11 as defined in s. 71.47 (1dj) (am) 2., 2013 stats.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

12 **SECTION 17.** 71.47 (5r) (b) 2. of the statutes is amended to read:

13 71.47 (5r) (b) 2. Thirty percent of the tuition that the claimant paid or incurred
14 for an individual to participate in an education program of a qualified postsecondary
15 institution, if the individual was enrolled in a course of instruction that relates to a
16 projected worker shortage in this state, as determined by the local workforce
17 development boards established under 29 USC 2832 3122, and if the individual was
18 eligible for a grant from the Federal Pell Grant Program.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

19 **SECTION 18.** 76.636 (1) (e) 12. of the statutes is amended to read:

20 76.636 (1) (e) 12. A dislocated worker, as defined in 29 USC 2801 (9) 3102 (15).

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

21 **SECTION 19.** 106.11 of the statutes is amended to read:

1 **106.11 Workforce investment programs.** The department shall cooperate
2 with the federal government in carrying out the purposes of the federal Workforce
3 ~~Investment~~ Innovation and Opportunity Act of ~~1998~~ 2014, 29 USC ~~2801 to 2945~~ 3101
4 to 3361. In administering the programs authorized by that act the department shall,
5 in cooperation with other state agencies and with local workforce development
6 boards established under 29 USC ~~2832~~ 3122, establish a statewide workforce
7 investment system to meet the employment, training, and educational needs of
8 persons in this state. If a local workforce development board anticipates that there
9 may be a business closing or mass layoff under s. 109.07 in the area served by that
10 board, the board may prepare a list of resources available in that area that provide
11 career planning, job search, job skills training, and other support services for affected
12 employees, as defined in s. 109.07 (1) (a), including contact information for those
13 resources, for distribution to those employees under s. 109.07 (1m) (a).

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

14 **SECTION 20.** 106.13 (2) of the statutes is amended to read:

15 106.13 (2) The council on workforce investment established under 29 USC
16 ~~2821~~ 3111, the technical college system board, and the department of public
17 instruction shall assist the department in providing the youth apprenticeship
18 program under sub. (1).

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

19 **SECTION 21.** 106.15 (1) (a) of the statutes is amended to read:

20 106.15 (1) (a) "Council" means the council on workforce investment established
21 under 29 USC ~~2821~~ 3111.

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

SECTION 22. 106.15 (1) (b) of the statutes is amended to read:

106.15 (1) (b) “Dislocated worker” has the meaning given in 29 USC 2801 (9) 3102 (15).

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 23. 106.15 (1) (c) of the statutes is amended to read:

106.15 (1) (c) “Dislocated worker committee” means the committee or other subunit of the council that assists the governor in providing employment and training activities to dislocated workers under 29 USC 2862 to 2864 3172 to 3174.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 24. 106.15 (1) (d) of the statutes is amended to read:

106.15 (1) (d) “Local plan” means a local plan required under 29 USC 2833 3123 as a condition for a grant.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 25. 106.15 (7) of the statutes is amended to read:

106.15 (7) FUNDING. From the amounts appropriated under s. 20.445 (1) (m), all moneys received under 29 USC 2862 to 2864 3172 to 3174 shall be expended to fund grants and operations under this section.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

SECTION 26. 106.16 (2) of the statutes is amended to read:

106.16 (2) Any company that receives a loan or grant from a state agency or an authority under ch. 231 or 234 shall notify the department and the local workforce development board established under 29 USC 2832 3122, of any position in the company that is related to the project for which the grant or loan is received to be

1 filled in this state within one year after receipt of the loan or grant. The company
2 shall provide this notice at least 2 weeks prior to advertising the position.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

3 **SECTION 27.** 106.27 (1m) of the statutes is amended to read:

4 106.27 **(1m)** LABOR MARKET INFORMATION SYSTEM. From the appropriation under
5 s. 20.445 (1) (bm), the department shall develop and maintain a labor market
6 information system to collect, analyze, and disseminate information on current and
7 projected employment opportunities in this state and other appropriate information
8 relating to labor market dynamics as determined by the department. The
9 department shall make the information contained in the system available, free of
10 charge, to school districts, technical colleges, tribal colleges, institutions and college
11 campuses within the University of Wisconsin System, local workforce development
12 boards established under 29 USC ~~2832~~ 3122, employers, job seekers, and the general
13 public, including making that information available on the department's Internet
14 site.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

15 **SECTION 28.** 109.07 (1m) (a) of the statutes is amended to read:

16 109.07 **(1m)** (a) Subject to sub. (5) or (6), an employer that has decided upon
17 a business closing or mass layoff in this state shall promptly notify the subunit of the
18 department that administers s. 106.15, any affected employee, any collective
19 bargaining representative of any affected employee, and the highest official of any
20 municipality in which the affected employment site is located, in writing of such
21 action no later than 60 days prior to the date on which the business closing or mass
22 layoff takes place. The notice to an affected employee shall also include contact

1 information for the local workforce development board under 29 USC ~~2832~~ 3122
2 serving the area in which the employment site is located and, if available, the list of
3 resources prepared under s. 106.11. The employer shall provide in writing all
4 information concerning its payroll, affected employees, and the wages and other
5 remuneration owed to those employees as the department may require. The
6 department may in addition require the employer to submit a plan setting forth the
7 manner in which final payment in full shall be made to affected employees.

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

8 **SECTION 29.** 115.28 (24) of the statutes is amended to read:

9 115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
10 school boards under s. 115.36, and in awarding grants from federal funds received
11 under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC ~~2862~~ 3172 (b) (1) (B),
12 to programs that provide more than one of the educational services specified under
13 s. 115.36, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC
14 4601 to 4665 or 29 USC ~~2862~~ 3172 (b) (1) (B).

NOTE: This section updates one or more references to a federal statute that was repealed and largely replaced in 2014.

15 **SECTION 30.** 238.30 (4m) of the statutes is amended to read:

16 238.30 (4m) "Member of a targeted group" means a person who resides in an
17 area designated by the federal government as an economic revitalization area, a
18 person who is employed in an unsubsidized job but meets the eligibility requirements
19 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
20 is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a trial
21 employment match program job, as defined in s. 49.141 (1) (n), a person who is
22 eligible for child care assistance under s. 49.155, a person who is a vocational

1 rehabilitation referral, an economically disadvantaged youth, an economically
2 disadvantaged veteran, a supplemental security income recipient, a general
3 assistance recipient, an economically disadvantaged ex-convict, a dislocated worker,
4 as defined in 29 USC ~~2801 (9)~~ 3102 (15), or a food stamp recipient, if the person has
5 been certified in the manner under 26 USC 51 (d) (13) (A) by a designated local
6 agency, as defined in 26 USC 51 (d) (12).

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

7 **SECTION 31.** 946.13 (10) of the statutes is amended to read:

8 946.13 **(10)** Subsection (1) (a) does not apply to a member of a local workforce
9 development board established under 29 USC ~~2832~~ 3122 or to a member of the
10 council on workforce investment established under 29 USC ~~2821~~ 3111.

NOTE: This section updates one or more references to a federal statute that was
repealed and largely replaced in 2014.

11 (END)