

1993 Assembly Bill 64

Date of enactment: **December 16, 1993**
Date of publication*: **December 30, 1993**

1993 WISCONSIN ACT 122

AN ACT to amend 66.521 (6m); and to create 66.521 (4s) and 108.04 (8) (g) of the statutes, relating to: job shifting requirements for industrial development revenue bond projects.

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

SECTION 1. 66.521 (4s) of the statutes is created to read:

66.521 (4s) JOB SHIFTING REQUIREMENTS. (a) In this subsection:

1. "Department" means the department of development.
2. "Employer" means an eligible participant, as defined in sub. (2) (c).
3. "Lost job" means an employment position with an employer that is eliminated at a site in this state other than a project site when the employer moves any part of its operation to a project site.
4. "New job" means an employment position with an employer that meets all of the following requirements:
 - a. Is created at a project site when the employer moves any part of its operation to a project site from another site in this state.
 - b. Increases the employer's total number of jobs at a project site after the construction of the project compared to the employer's total number of jobs at that project site before the construction of the project.
 - c. Is created within one year after the construction of the project is completed.
 - d. Is substantially similar in tasks performed and skills required as a lost job.
 - e. Is not a construction job or other nonpermanent job at a project site that is required only during and because of the construction of the project.

5. "Project site" means the location of a project that is the subject of a revenue agreement.

(b) A municipality may not enter into a revenue agreement with any employer that employs individuals in this state at a site other than a project site unless the employer certifies that the project is not expected to result in any lost jobs or the employer agrees to all of the following:

1. Notwithstanding sub. (6m), the employer shall offer employment at any new job first to persons who were formerly employed at lost jobs.
 2. The offer of employment for the new job shall have compensation and benefit terms at least as favorable as those of the lost job.
 3. The employer shall certify compliance with this subsection to the department, to the governing body of each municipality within which a lost job exists and to any collective bargaining agent in this state with which the employer has a collective bargaining agreement at the project site or at a site where a lost job exists.
 4. The employer shall submit a report to the department every 3 months during the first year after the construction of the project is completed. The reports shall provide information about new jobs, lost jobs and offers of employment made to persons who were formerly employed at lost jobs. The 4th report shall be the final report. The form and content of the reports shall be prescribed by the department under par. (d).
- (c) A determination of whether the job offer required under par. (b) is an offer of suitable work under s. 108.04 (8) may not take into consideration the requirements of

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this subsection. Whether the job offer is an offer of suitable work under ch. 108 may be determined only by the same standards and requirements that apply to any other job offer under ch. 108, including any standards relating to the relative location of the offered work and the location of the employe's domicile.

(d) The department shall administer this subsection and shall prescribe forms for certification and reports under par. (b).

SECTION 2. 66.521 (6m) of the statutes is amended to read:

66.521 **(6m)** NOTIFICATION OF POSITION OPENINGS. A municipality may not enter into a revenue agreement with any person who operates for profit unless that person has agreed to notify the department of industry, labor and human relations and the area private industry council under the job training partnership act, 29 USC 1501 to 1798, of any position to be filled in that municipality within one year after issuance of the revenue bonds. The person shall provide this notice at least 2 weeks ~~prior to~~

before advertising the position. The notice required by this subsection does not affect the offer of employment requirements of sub. (4s).

SECTION 3. 108.04 (8) (g) of the statutes is created to read:

108.04 **(8)** (g) The department shall determine whether an offer of work required under s. 66.521 (4s) is an offer of suitable work under this subsection by use of the same standards and requirements that apply to any other offer of work under this subsection, including any requirements relating to the relative location of the offered work and the location of the employe's domicile.

SECTION 4. Nonstatutory provisions; short title. This act may be cited as the "revenue bonding jobs protection act".

SECTION 5. Initial applicability. This act first applies to revenue agreements for which a governing body of a city, village or town adopts an initial resolution on the first day of the first month beginning after publication.