



**ASSEMBLY AMENDMENT 1,
TO SENATE BILL 1**

March 6, 2013 – Offered by Representatives VRUWINK, DANOU, KAHL, PASCH, ZAMARRIPA, POPE, HEBL, KESSLER, RINGHAND, BERCEAU, OHNSTAD, SINICKI, CLARK, RICHARDS, YOUNG, BEWLEY, GENRICH, SMITH, SHANKLAND, DOYLE, WACHS, KOLSTE, ZEPNICK, GOYKE, RIEMER, WRIGHT, JOHNSON, HESSELBEIN, BILLINGS, HINTZ, JORGENSEN and BARCA.

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

3 **1.** Page 12, line 22: after that line insert:

4 “**SECTION 43s.** 106.165 of the statutes is created to read:

5 **106.165 Notification of iron mining position openings.** (1) In this
6 section:

7 (a) “Appropriate newspaper” means one of the following:

8 1. The official newspaper of the city, village, town, or county containing the
9 work site where a position will be located.

10 2. If no newspaper satisfies subd. 1., a newspaper of general circulation in the
11 city, village, town, or county containing the work site where a position will be located
12 that is published in this state and that is eligible to publish legal notices under s.
13 985.03 (1).

1 (b) “Iron mining company” means a person that holds a permit under s. 295.58.

2 (2) An iron mining company shall do all of the following with respect to each
3 position in the company that is related to an iron mine and is to be filled in this state:

4 (a) Notify the department and the local workforce development board
5 established under 29 USC 2832 serving the area where the position is located about
6 the position and post the position on the department’s job center Internet site for at
7 least 30 days.

8 (b) Post notice of the position for at least 14 days in a location at the work site
9 where the position will be located in one or more conspicuous places where notices
10 to employees are customarily posted.

11 (c) Place an advertisement in an appropriate newspaper at least once a week
12 for 2 consecutive weeks that, at a minimum, includes a description of the position and
13 how a person may apply for the position, the name of the employer, and the location
14 of the work site.

15 (d) Provide notice of the position to each technical college and institution within
16 the University of Wisconsin System that is located within 250 miles of where the
17 position is located.

18 (3) An iron mining company may not do any of the following with respect to a
19 position in the company that is related to an iron mine and is to be filled in this state
20 before it has complied with sub. (2):

21 (a) Post notice of the position on a trade association Internet site or in a trade
22 association publication.

23 (b) Post notice of the position on any Internet job search site, except as provided
24 in sub. (2) (a).

25 (c) Recruit applicants for the position at any job fair located outside this state.

1 (d) Recruit applicants for the position at any institution of higher education
2 outside this state.

3 (e) Advertise the position in any newspaper or on any radio or television station
4 located outside this state.

5 (f) Use any employment agency to recruit applicants from outside this state for
6 the position.

7 (4) (a) The department shall, upon complaint by any person or on its own
8 motion, investigate any allegation that an iron mining company has violated sub. (2)
9 or (3) if the complaint is filed with the department no more than 300 days after the
10 alleged violation occurred.

11 (b) If after investigation under par. (a) the department finds probable cause to
12 believe that an iron mining company has violated sub. (2) or (3), the department shall
13 notify the iron mining company of the department's finding of probable cause, of the
14 actions specified under par. (d) that the department proposes to take, and of the iron
15 mining company's right to request a hearing regarding the alleged violation of sub.
16 (2) or (3).

17 (c) An iron mining company that receives a notice under par. (b) may, within
18 30 days after the date of the notice, request a contested case hearing under s. 227.42.
19 If the department does not receive a request for a contested case hearing under s.
20 227.42 within 30 days after the date of the notice under par. (b), the department shall
21 issue a final decision that the company has violated sub. (2) or (3) and take the actions
22 specified under par. (d).

23 (d) If the department receives a request under par. (c) for a hearing, the
24 department shall hold a hearing as provided under s. 227.44. If, after the hearing,
25 the department finds that an iron mining company has violated sub. (2) or (3), the

1 department shall issue a final decision under s. 227.47 that the company has violated
2 sub. (2) or (3) and shall order the iron mining company to take any remedial action
3 that the department considers appropriate based on the severity of the
4 noncompliance with sub. (2) or (3).”

5 (END)