

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3327/P2dn  
GMM/PG/PJH:cs:pg

September 7, 2001

Bob:

In reviewing this draft, please note all of the following nonsubstantive changes made to WLCS: 0150/1:

1. With respect to the labor day report, the draft does all of the following:
  - a. Numbers the statutory provision as s. 106.175 rather than as s. 103.0052. It is an unwritten rule that we try to avoid creating statute numbers with four digits after the decimal point. Moreover, the labor day report provision appears to fit more neatly in the statutes following s. 106.17, which requires DWD to collect labor market information and periodically report that information, and preceding s. 106.18, as created by the draft, which requires DWD to prepare job skills training reports. Numbering the labor day report as s. 106.175 puts all of the DWD special labor reports together in the statutes.
  - b. Requires DWD not only to *prepare* the report by September 1 annually, but also to *submit* the report by that date.
  - c. Requires DWD to report not on the labor *shortage*, but rather on the labor *supply*. Use of the term "labor shortage" in the statutes assumes that there will always be a labor shortage when, in fact, ten years down the road the labor supply might be just right.
  - d. Requires DWD to provide the reports to local workforce development boards established under 29 USC 2832 and to other appropriate organizations as determined by DWD rather than to workforce development organizations. "Workforce development organization" is a vague term that is neither used nor defined in the statutes. The same change is also made in s. 106.18, as created by the draft.
2. With respect to the workplace diversity grant program, the draft does all of the following:
  - a. Creates the program under a nonstatutory provision. Unless reauthorized, the program ends on September 1, 2002, when DWD reports on the program. As such, the program will be moot before the next version of the statutes is even printed. Accordingly, the program belongs in a nonstatutory provision. See sec. 12.01 (2) (m), Drafting Manual. If later the legislature decides to make the program permanent, the nonstatutory provision can be renumbered into the statutes.

b. Replaces passive verbs with active verbs and replaces vague phrases with precise phrases in the provision setting forth the qualifications of a local, nonprofit organization.

c. Touches up the emergency rules provision and adds the necessary language to the relating clause. See secs. 4.02 (2) (b) 5m. and (be) 2. and 7.15 (5), Drafting Manual.

3. With respect to the transfer of TANF moneys from s. 20.445 (3) (md) to s. 20.292 (1) (kd), this draft does not decrease the amount appropriated to s. 20.445 (3) (md) because if that amount is decreased, the moneys will lapse to the general fund and not be available for transfer to s. 20.292 (1) (kd).

In addition, the draft does not include the language relating to the nursing student loan forgiveness program and the advanced journeyworker credential pilot program because substantially similar programs were enacted in the budget. Similarly, the draft does not include the language relating to the employment skills advancement program because that program was repealed in the budget.

These changes are intended as helpful suggestions to improve the draft. Of course, if any of the language of the WLCS draft is "written in stone" as the intent of the committee, we can discuss changing the language back. If you would like to discuss any of these changes or anything else about the draft, please do not hesitate to contact me directly at the phone number or e-mail address listed below.

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Bob:

I moved s. 120.13 (25m) from your draft, along with existing s. 120.13 (17), into new s. 118.115. OK? With a cross-reference to s. 118.115 in s. 119.04 (1), your s. 119.10 (11) becomes unnecessary.

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Please note that under current law, a person whose motor vehicle operating privilege is suspended for failing to pay a forfeiture for violating an ordinance is not eligible to

apply for an occupational driver's license. My understanding of your intent is that a person whose operating privilege is suspended for failing to pay a forfeiture for violating an ordinance that is unrelated to the operation of a motor vehicle should be eligible to apply for an occupational license.

I have revised the analysis to reflect current law and to explain that the draft allows those persons to apply for an occupational license for a reduced application fee of \$10. Section 343.10 (1) (a) contains a list of persons who may apply for an occupational license. I have amended that section to add those persons who have had their operating privileges suspended for failing to pay a forfeiture for an ordinance violation, if the underlying ordinance was unrelated to the operation of a motor vehicle. Please note that my amendments allow adults and juveniles whose operating privileges have been suspended under those circumstances to apply for an occupational license. Please also note that this draft does not change the waiting period or other requirements necessary for obtaining an occupational license.

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