

2



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1689/2  
GMM:kjf:rs (MR)

DOA:.....Hummert - BB0407, Elimination of Governor's Work-Based Learning Board

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

DWD. The bill also creates the Governor's Work-Based Learning Council ~~and~~ (GWBLC) and directs the GWBLC to oversee the planning, coordination, administration, and implementation by DWD of these programs.

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

DWD

Under current law, the Governor's Work-Based Learning Board (GWBLB) is required to plan, coordinate, administer, and implement certain youth apprenticeship, school-to-work, and work-based learning programs and such other employment and education programs as the governor may, by executive order, assign to the GWBLB. This bill eliminates the GWBLB and the position of executive director of the GWBLB and transfers administration of the employment and education programs currently administered by the GWBLB to DPI.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 15.07 (2) (k) of the statutes is repealed.

3 ~~SECTION 2. 15.225 (3) of the statutes is repealed.~~

1 SECTION 3. 20.255 (1) (i) of the statutes is amended to read:

2 20.255 (1) (i) *Publications and seminars.* The amounts in the schedule for the  
3 publication of materials and the presentation of seminars under subch. II of ch. 115.  
4 All moneys received from the sale of publications and the presentation of seminars  
5 authorized by subch. II of ch. 115 shall be credited to this appropriation account.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 4. 20.445 (7) (title) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 5. 20.445 (7) (a) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 6. 20.445 (7) (b) of the statutes is renumbered ~~20.255 (2) (d)~~ and

9 amended to read: ~~20.255 (2) (d) Local youth apprenticeship grants.~~ The amounts in the schedule  
10 ~~for local youth apprenticeship grants under s. 106.13 115.325 (3m).~~  
11 ~~for local youth apprenticeship grants under s. 106.13 115.325 (3m).~~

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 SECTION 7. 20.445 (7) (ef) of the statutes is renumbered ~~20.255 (2) (dd)~~ and

13 amended to read: ~~20.255 (2) (dd) School-to-work programs for children at risk.~~ The amounts in  
14 ~~the schedule for grants to nonprofit organizations under s. 106.13 (4m) 115.325 (4).~~  
15 ~~the schedule for grants to nonprofit organizations under s. 106.13 (4m) 115.325 (4).~~

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 SECTION 8. 20.445 (7) (em) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 SECTION 9. 20.445 (7) (ga) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Case 2-5

Change Component 8

Change Component 12

UPS: Change Component 16

20.445 (1) (e)

20.445 (1) (ef)

renumbered 20.445 (1) (em)

renumbered 20.445 (1) (ke)

Change Component →

SECTION 10. 20.445 (7) (kb) of the statutes is ~~repealed~~.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

20.445 (1) (ka)

2

SECTION 11. 20.445 (7) (kd) of the statutes is renumbered ~~20.255 (2) (kb)~~.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

renumbered 20.445 (1) (kx)

Change comp →

3

SECTION 12. 20.445 (7) (kx) of the statutes is ~~repealed~~.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4

SECTION 13. 20.445 (7) (m) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5

SECTION 14. 20.505 (8) (hm) 18j. of the statutes is amended to read:

6

20.505 (8) (hm) 18j. The amount transferred to s. ~~20.445 (7) (kd)~~ ~~20.255 (2) (kb)~~

7

shall be the amount in the schedule under s. ~~20.445 (7) (kd)~~ ~~20.255 (2) (kb)~~.

8

~~SECTION 15. 20.923 (4) (c) 5. of the statutes is repealed.~~

9

SECTION 16. 103.70 (1) of the statutes is amended to read:

10

103.70 (1) Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31,

11

103.78, ~~938.245 (2) (a) 5. b., 938.32 (1t) (a) 2., and 938.34 (5) (b) and (5g) (c), and as~~

12

may be provided under s. 103.79, a minor, unless indentured as an apprentice in

13

accordance with s. 106.01, or unless 12 years and over and engaged in farming, or

14

unless 14 years and over and enrolled in a youth apprenticeship program under s.

15

~~106.13~~ 115.325, shall not be employed or permitted to work at any gainful occupation

16

or employment unless there is first obtained from the department or a permit officer

17

a written permit authorizing the employment of the minor within those periods of

18

time stated in the permit, which shall not exceed the maximum hours prescribed by

law.

Final 3-19

1 <sup>Change component</sup> → SECTION 17. 106.12 (title) of the statutes is ~~renumbered 115.32 (title)~~ and  
2 amended to read: <sup>(plain)</sup> 106.12

3 115.32 (title) Governor's work-based learning board ~~Employment and~~  
4 ~~education programs.~~ council

Insert  
4-5

5 SECTION 18. 106.12 (1) of the statutes is repealed.

Change component

6 SECTION 19. 106.12 (2) of the statutes is ~~renumbered 115.32 (2)~~ and amended  
7 to read: 106.12 (2) Based on the recommendations of the council, the

8 115.32 (1) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~The~~ <sup>strike</sup> board

9 department shall plan, coordinate, administer, and implement the youth <sup>(plain)</sup>  
10 apprenticeship, school-to-work, and work-based learning programs under s. 106.13

11 ~~115.32~~ (1) and such other employment and education programs as the governor may  
12 by executive order assign to the ~~board~~ department. Notwithstanding any limitations  
13 placed on the use of state employment and education funds under this section or s.

14 106.13 <sup>(plain)</sup> ~~115.32~~ or under an executive order assigning an employment and education  
15 program to the ~~board~~ department, the ~~board~~ department may issue a general or  
16 special order waiving any of those limitations on finding that the waiver will promote  
17 the coordination of employment and education services.

Insert  
4-18

18 SECTION 20. 106.12 (3) of the statutes is repealed.

Change component

19 SECTION 21. 106.12 (4) of the statutes is ~~renumbered 115.32 (2)~~ and amended  
20 to read: 106.12 (4)

21 115.32 (2) PUBLICATIONS AND SEMINARS. The ~~board~~ department may provide  
22 publications and seminars relating to the employment and education programs  
23 administered by the ~~board~~ department and may establish a schedule of fees for those  
24 publications and seminars. Fees established under this subsection for publications  
25 and seminars provided by the ~~board~~ department may not exceed the actual cost

(u)

plain

plain

1 incurred in providing those publications and seminars. The fees collected under this  
 2 subsection shall be credited to the appropriation account under s. ~~20.445 (7) (ga)~~  
 3 ~~20.255 (1) (i)~~.

4 ~~SECTION 22. 106.13 (title) of the statutes is renumbered 115.325 (title).~~

change component

5 SECTION 23. 106.13 (1) (intro.) of the statutes is renumbered 115.325 (1) (intro.)

6 ~~and~~ amended to read: 106.13

7 115.325 (1) (intro.) The board department shall provide all of the following:

8 ~~SECTION 24. 106.13 (1) (a) of the statutes is renumbered 115.325 (1) (a) and~~  
 9 ~~amended to read:~~

10 115.325 (1) (a) A youth apprenticeship program that includes the grant  
 11 programs program under sub-sub (3m) and (4).

12 ~~SECTION 25. 106.13 (1) (b) of the statutes is renumbered 115.325 (1) (b) and~~  
 13 ~~amended to read:~~

14 115.325 (1) (b) A school-to-work program that includes the school-to-work  
 15 program for children at risk under sub. (4m) (4).

16 ~~SECTION 26. 106.13 (1) (c) of the statutes is renumbered 115.325 (1) (c)~~

change component

17 SECTION 27. 106.13 (2) of the statutes is renumbered 115.325 (2) and amended  
 18 to read:

governor's work-based learning council, the

plain

19 106.13  
 20 115.325 (2) The council on workforce investment established under 29 USC  
 21 2821, the technical college system board, and the department of public instruction  
 22 ~~workforce development~~ shall assist the board department of public instruction in  
 23 providing the youth apprenticeship program, the school-to-work program, and the  
 work-based learning program under sub. (1).

change component

24 SECTION 28. 106.13 (2m) of the statutes is renumbered 115.325 (2m) and  
 25 amended to read:

workforce development

After reviewing the recommendations of the council under s. 106.12 (1m) (e), the

1 ~~115.325~~ (2m) The board department shall approve occupations and maintain  
2 a list of approved occupations for the youth apprenticeship program and shall  
3 approve statewide skill standards for the school-to-work program. From the  
4 appropriation under s. <sup>plan</sup> 20.445 (7) (a) <sup>(1)</sup> ~~20.255~~ <sup>plan</sup> (1)(a), the board department shall  
5 develop curricula for youth apprenticeship programs for occupations approved under  
6 this subsection.

7 ~~SECTION 29. 106.13 (3) of the statutes is renumbered 115.325 (3).~~  
8 SECTION 30. 106.13 (3m) (a) of the statutes is renumbered 115.325 (3m) (a)  
9 (intro.) and amended to read:  
10 115.325 (3m) (a) (intro.) In this subsection, "local partnership":  
11 1. "Local partnership means one or more school districts, or any combination  
12 of one or more school districts, other public agencies, as defined in sub. (4) (a) 2,  
13 nonprofit organizations, as defined in sub. (4) (a) 1r., individuals, or other persons,  
14 who have agreed to be responsible for implementing and coordinating a local youth  
15 apprenticeship program.

change component

16 → SECTION 31. 106.13 (3m) (b) (intro.) of the statutes is renumbered 115.325 (3m)  
17 (b) (intro.) and amended to read: <sup>(1)(e)</sup>  
18 ~~115.325~~ (3m) (b) (intro.) From the appropriation under s. <sup>plan</sup> 20.445 (7) (b) ~~20.255~~  
19 ~~(2)(d)~~, the board department shall award grants to applying local partnerships for  
20 the implementation and coordination of local youth apprenticeship programs. A  
21 local partnership shall include in its grant application the identity of each public  
22 agency, nonprofit organization, individual, and other person who is a participant in  
23 the local partnership, a plan to accomplish the implementation and coordination  
24 activities specified in subds. 1. to 6., and the identity of a fiscal agent who shall be  
25 responsible for receiving, managing, and accounting for the grant moneys received

1 under this paragraph. Subject to par. (c), a local partnership that is awarded a grant  
2 under this paragraph may use the grant moneys awarded for any of the following  
3 implementation and coordination activities:

4 ~~SECTION 32. 106.13 (3m) (b) 1. of the statutes is renumbered 115.325 (3m) (b)~~  
 5  
 6 ~~SECTION 33. 106.13 (3m) (b) 2. of the statutes is renumbered 115.325 (3m) (b)~~  
 7 2.  
 8 ~~SECTION 34. 106.13 (3m) (b) 3. of the statutes is renumbered 115.325 (3m) (b)~~  
 9 3.  
 10 ~~SECTION 35. 106.13 (3m) (b) 4. of the statutes is renumbered 115.325 (3m) (b)~~  
 11 4.  
 12 ~~SECTION 36. 106.13 (3m) (b) 5. of the statutes is renumbered 115.325 (3m) (b)~~  
 13 5.

change component →

14 SECTION 37. 106.13 (3m) (b) 6. of the statutes is ~~renumbered 115.325 (3m) (b)~~

15 ~~3. add~~ amended to read:

106.13

16 ~~115.325 (3m)~~ (b) 6. Any other implementation or coordination activity that the  
17 board department may direct or permit the local partnership to perform.

18 ~~SECTION 38. 106.13 (3m) (c) of the statutes is renumbered 115.325 (3m) (c).~~

19 ~~SECTION 39. 106.13 (4) (a) (intro.) of the statutes is repealed.~~

20 ~~SECTION 40. 106.13 (4) (a) 1d. of the statutes is repealed.~~

21 ~~SECTION 41. 106.13 (4) (a) 1r. of the statutes is renumbered 115.325 (3m) (a)~~

22 2.

23 ~~SECTION 42. 106.13 (4) (a) 2. of the statutes is renumbered 115.325 (3m) (a) 3.~~

24 ~~SECTION 43. 106.13 (4) (b) of the statutes is repealed.~~

25 ~~SECTION 44. 106.13 (4) (c) of the statutes is repealed.~~

After reviewing the recommendations of the Council under s. 106.12 (1m) (f), the

Insert 81  
2  
change component  
4

insert 81

SECTION 45. 106.13 (4) (d) of the statutes is repealed.

SECTION 46. 106.13 (4m) of the statutes is ~~renumbered 115.325 (4) and~~ amended to read:

106.13 (4m)

(1)

~~115.325 (4)~~ (a) The board department may approve an innovative school-to-work program provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1) (a), in a county having a population of 500,000 or more to assist those children at risk in acquiring employability skills and occupational-specific competencies before leaving high school. If the board department approves a program under this paragraph, the board department may award a grant, from the appropriation under s. ~~20.445 (7)~~ <sup>(plan)</sup> (ref) ~~20.2551 (2) (a)~~ <sup>(plan)</sup>, to the nonprofit organization providing the program and the nonprofit organization shall use the funds received under the grant to provide the program.

(b) The board department shall establish requirements for the operation of the grant program under this subsection. Notwithstanding sub. (5), those requirements need not be promulgated as rules.

change component

SECTION 47. 106.13 (5) of the statutes is ~~renumbered 115.325 (5) and~~ amended to read:

106.13

~~115.325 (5)~~ The board department shall promulgate rules to administer this section.

SECTION 48. 118.34 (4) of the statutes is repealed.

~~SECTION 49. 121.02 (1) (m) of the statutes is amended to read:~~

~~121.02 (1) (m) Provide access to an education for employment program approved by the state superintendent. Beginning in the 1997-98 school year, the The program shall incorporate applied curricula; guidance and counseling services under par. (e); technical preparation under s. 118.34; college preparation; youth~~



1 ~~apprenticeship under s. 106.13 115.325 or other job training and work experience;~~  
2 ~~and instruction in skills relating to employment. The state superintendent shall~~  
3 ~~assist school boards in complying with this paragraph.~~

4 ~~SECTION 50. 230.08 (2) (vr) of the statutes is repealed.~~

5 **SECTION 9159. Nonstatutory provisions; workforce development.**

6 (1) ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.

7 ~~(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and~~  
8 ~~liabilities of the department of workforce development that are primarily related to~~  
9 ~~the functions of the governor's work-based learning board, as determined by the~~  
10 ~~secretary of administration, shall become the assets and liabilities of the department~~  
11 ~~of public instruction.~~

12 ~~(b) *Positions and employees.*~~

13 ~~1. On the effective date of this subdivision, all full-time equivalent positions~~  
14 ~~in the department of workforce development having duties that are primarily related~~  
15 ~~to the functions of the governor's work-based learning board, except the executive~~  
16 ~~director position, as determined by the secretary of administration, are transferred~~  
17 ~~to the department of public instruction.~~

18 ~~2. All incumbent employees holding positions specified in subdivision 1. are~~  
19 ~~transferred on the effective date of this subdivision to the department of public~~  
20 ~~instruction.~~

21 ~~3. Employees transferred under subdivision 2. have all of the rights and the~~  
22 ~~same status under subchapter V of chapter 111 and chapter 230 of the statutes in the~~  
23 ~~department of public instruction that they enjoyed in the department of workforce~~  
24 ~~development immediately before the transfer. Notwithstanding section 230.28 (4)~~

Insert  
9-4

1 of the statutes, no employee so transferred who has attained permanent status in  
2 class is required to serve a probationary period.

3 (c) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of workforce  
5 development that is primarily related to the functions of the governor's work-based  
6 learning board, as determined by the secretary of administration, is transferred to  
7 the department of public instruction.

workforce development (use 3 times)

8 (a) ~~(b)~~ *Contracts.*

9 ~~no ff~~ ~~MMK~~ All contracts entered into by the governor's work-based learning board in  
10 effect on the effective date of this ~~subdivision~~ <sup>paragraph</sup> remain in effect and are transferred to  
11 the department of ~~public instruction~~. The department of ~~public instruction~~ shall  
12 carry out any obligations under such a contract until the contract is modified or  
13 rescinded by the department of ~~public instruction~~ to the extent allowed under the  
14 contract.

15 2. All contracts entered into by the department of workforce development in  
16 effect on the effective date of this subdivision that are primarily related to the  
17 functions of the governor's work-based learning board, as determined by the  
18 secretary of administration, remain in effect and are transferred to the department  
19 of public instruction. The department of public instruction shall carry out any  
20 obligations under such a contract until the contract is modified or rescinded by the  
21 department of public instruction to the extent allowed under the contract.

22 (b) ~~(a)~~ *Rules and orders.* All rules promulgated by the governor's work-based  
23 learning board that are in effect on the effective date of this paragraph remain in  
24 effect until their specified expiration date or until amended or repealed by the  
25 department of ~~public instruction~~. All orders issued by the governor's work-based

workforce development

1 learning board that are in effect on the effective date of this paragraph remain in  
2 effect until their specified expiration date or until modified or rescinded by the  
3 department of ~~public instruction~~.

workforce development (was 3 times)

4 ~~#~~ Pending matters. Any matter pending with the governor's work-based  
5 learning board on the effective date of this paragraph is transferred to the  
6 department of ~~public instruction~~, and all materials submitted to or actions taken by  
7 the governor's work-based learning board with respect to the pending matter are  
8 considered as having been submitted to or taken by the department of ~~public~~  
9 ~~instruction~~.

10

(END)

Insert  
11-9

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1689/2ins  
GMM.....

(INSERT 2-5)

SECTION 1. 15.225 (3) (title) of the statutes is amended to read:

15.225 (3) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

History: 1977 c. 29; 1995 a. 27 ss. 107 to 111, 9126 (19), 9130 (4); 1995 a. 221; 1997 a. 3; 1999 a. 9; 2001 a. 16.

SECTION 2. 15.225 (3) (a) of the statutes is amended to read:

15.225 (3) (a) There is created a governor's work-based learning board which is attached to the department of workforce development under s. 15.03 council consisting of the members specified in par. (b).

History: 1977 c. 29; 1995 a. 27 ss. 107 to 111, 9126 (19), 9130 (4); 1995 a. 221; 1997 a. 3; 1999 a. 9; 2001 a. 16.

SECTION 3. 15.225 (3) (b) (intro.) of the statutes is amended to read:

15.225 (3) (b) (intro.) The governor's work-based learning board council shall consist of the following members:

History: 1977 c. 29; 1995 a. 27 ss. 107 to 111, 9126 (19), 9130 (4); 1995 a. 221; 1997 a. 3; 1999 a. 9; 2001 a. 16.

SECTION 4. 15.225 (3) (b) 1. of the statutes is amended to read:

15.225 (3) (b) 1. The governor, who shall serve as chairperson of the council.

History: 1977 c. 29; 1995 a. 27 ss. 107 to 111, 9126 (19), 9130 (4); 1995 a. 221; 1997 a. 3; 1999 a. 9; 2001 a. 16.

(END OF INSERT)

(INSERT 3-19)

SECTION 5. 20.923 (4) (c) 5. of the statutes is amended to read:

20.923 (4) (c) 5. Governor's work-based learning board council: executive director.

History: 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109.

(END OF INSERT)

(INSERT 4-5)

SECTION 6. 106.12 (1) of the statutes is amended to read:

106.12 (1) DEFINITION. In this section and s. 106.13, “beard” “council” means the governor’s work-based learning beard council.

History: 1993 a. 16; 1995 a. 27 s. 3701; 1995 Stats. s. 106.12; 1997 a. 27; 1999 a. 9; 2001 a. 16.

SECTION 7. 106.12 (1m) of the statutes is created to read:

106.12 (1m) DUTIES OF COUNCIL. The council shall oversee the planning, coordination, administration, and implementation of the youth apprenticeship, school-to-work, and work-based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the department. In providing that oversight, the council shall do all of the following:

(a) Identify the employment and education needs of the state and recommend to the governor goals for meeting those needs and steps to meet those goals.

(b) Review the provision of services and the allocation of funding and resources under the programs specified in this subsection and recommend to the governor a strategic plan for coordinating the provision of those services and for allocating that funding and those resources, consistent with the laws, rules, and regulations governing those programs, so as to best respond to the employment and education needs identified in par. (a).

(c) Monitor the provision of services and the expenditure of funding and resources under the programs specified in this subsection and evaluate the effectiveness of those programs in meeting the employment and education needs of the participants in those programs.

(d) Determine whether any federal laws, regulations, or policies impede the effectiveness or coordination of any of the programs specified in this subsection and,

if so, recommend that the department seek waivers of those laws, regulations, or policies.

(e) Recommend for approval by the department under s. 106.13 (2m) occupations for the youth apprenticeship program and statewide skill standards for school-to-work programs.

(f) Review and recommend for approval by the department a school-to-work program for children at risk, as defined in s. 118.153 (1) (a), provided by a nonprofit organization under s. 106.13 (4m).

(g) Provide uniform performance standards that assist in evaluating the effectiveness of the employment and education programs specified in this subsection.

(h) Annually, prepare and submit to the legislature under s. 13.172 (2) and to the governor a report on the activities of the council that includes recommendations regarding the employment and education programs specified in this subsection.

(END OF INSERT)

(INSERT 4-18)

SECTION 8. 106.12 (3) of the statutes is amended to read:

106.12 (3) EXECUTIVE DIRECTOR. The governor shall appoint an executive director of the ~~board~~ council outside the classified service to serve at the pleasure of the governor. The executive director shall be in charge of ~~the board's administrative functions~~ administering the programs specified in sub. (2).

History: 1993 a. 16; 1995 a. 27 s. 3701; 1995 Stats. s. 106.12; 1997 a. 27; 1999 a. 9; 2001 a. 16.

(END OF INSERT)

(INSERT 8-1)

SECTION 9. 106.13 (4) (a) 1d. of the statutes is amended to read:

106.13 (4) (a) 1d. "Eligible employer" means an employer that is eligible to receive a grant under this subsection according to the criteria established by the board department under par. (d).

History: 1991 a. 39; 1993 a. 16, 339, 399, 437, 491; 1995 a. 27 ss. 3703 to 3712, 9130 (4), 9145 (1); Stats. 1995 s. 106.13; 1997 a. 3, 27, 79; 1999 a. 9 ss. 2016 to 2024, 2068; 2001 a. 16.

**SECTION 10.** 106.13 (4) (b) of the statutes is amended to read:

106.13 (4) (b) From the appropriation under s. <sup>plain</sup>20.445 <sup>strike</sup>(7) <sup>plain</sup>(1) ~~(em)~~, the board department may award a grant to a public agency or a nonprofit organization, or to an eligible employer that is responsible for the on-the-job training and supervision of a youth apprentice. A public agency or nonprofit organization that receives a grant under this subsection shall use the funds awarded under the grant to award training grants to eligible employers that provide on-the-job training and supervision for youth apprentices. Subject to par. (c), a training grant provided under this subsection may be awarded to an eligible employer for each youth apprentice who receives at least 180 hours of paid on-the-job training from the eligible employer during a school year, as defined in s. 115.001 (13). The amount of a training grant may not exceed \$500 per youth apprentice per school year. A training grant may not be awarded for any specific youth apprentice for more than 2 school years.

History: 1991 a. 39; 1993 a. 16, 339, 399, 437, 491; 1995 a. 27 ss. 3703 to 3712, 9130 (4), 9145 (1); Stats. 1995 s. 106.13; 1997 a. 3, 27, 79; 1999 a. 9 ss. 2016 to 2024, 2068; 2001 a. 16.

**SECTION 11.** 106.13 (4) (c) of the statutes is amended to read:

106.13 (4) (c) Notwithstanding par. (b), the board department may award a training grant under this subsection to an eligible employer that provides less than 180 hours of paid on-the-job training for a youth apprentice during a school year, as defined in s. 115.001 (13), if the board department determines that it would be

beneficial for the youth apprentice to receive on-the-job training from more than one eligible employer.

History: 1991 a. 39; 1993 a. 16, 339, 399, 437, 491; 1995 a. 27 ss. 3703 to 3712, 9130 (4), 9145 (1); Stats. 1995 s. 106.13; 1997 a. 3, 27, 79; 1999 a. 9 ss. 2016 to 2024, 2068; 2001 a. 16.

**SECTION 12.** 106.13 (4) (d) of the statutes is amended to read:

106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a grant under this subsection. That criteria shall specify that eligibility for a grant shall be limited to small employers, as determined by the ~~board~~ department, and to employers providing on-the-job training in employment areas determined by the ~~board~~ department. Notwithstanding sub. (5), those criteria need not be promulgated as rules.

History: 1991 a. 39; 1993 a. 16, 339, 399, 437, 491; 1995 a. 27 ss. 3703 to 3712, 9130 (4), 9145 (1); Stats. 1995 s. 106.13; 1997 a. 3, 27, 79; 1999 a. 9 ss. 2016 to 2024, 2068; 2001 a. 16.

(END OF INSERT)

(INSERT 9-4)

**SECTION 13.** 230.08 (2) (yr) of the statutes is amended to read:

230.08 (2) (yr) The executive director of the governor's work-based learning ~~board department~~ Council.

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109.

(END OF INSERT)

(INSERT 11-9)

**SECTION 9259. Appropriation changes; workforce development.**

(1) ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.

(a) The unencumbered balance in the appropriation account under section 20.445 (7) (ga), 2001 stats., is transferred to the appropriation account under section

~~20.245~~ (1) (ga) of the statutes.

20.445



20.445

(b) The unencumbered balance in the appropriation account under section 20.445 (7) (kx), 2001 stats., is transferred to the appropriation account under section 20.245 (1) (kx) of the statutes.

(b) (c) The unencumbered balance in the appropriation account under section 20.445 (7) (m), 2001 stats., is transferred to the appropriation account under section 20.245 (1) (m) of the statutes.

(END OF INSERT)

(END)

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

LRB-1689/2dp  
GMM..Kj.f

*Date*

Josh:

In reviewing this redraft, please note all of the following:

1. The redraft does not include nonstatutory language transferring positions from the GWBLB to DWD. It is not necessary to include language in the bill when the transfer is within a single department.
2. To flesh out the duties of the Governor's Work-Based Learning Council, I resurrected some language from the former Governor's Council on Workforce Excellence. See s. 106.12 (1m), as created by the draft and s. 106.115, 1997 stats.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)

Insert to Insert 2-5

Section #. 20.445 (1) (ga) of the statutes is amended to read:

and 106.12 (4) (verbuice)

20.445 (1) (ga) Auxiliary services. All moneys received from fees collected under ss. 102.16 (2m) (d), 103.005 (15) and 106.09 (7) for the delivery of services under ss. 102.16 (2m) (f), 103.005 (15) and 106.09 and ch. 108.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

(verbuice)

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

LRB-1689/2dn  
GMM:kjf:pg

January 28, 2003

Josh:

In reviewing this redraft, please note all of the following:

1. The redraft does not include nonstatutory language transferring positions from the GWBLB to DWD. It is not necessary to include language in the bill when the transfer is within a single department.
2. To flesh out the duties of the Governor's Work-Based Learning Council, I resurrected some language from the former Governor's Council on Workforce Excellence. See s. 106.12 (1m), as created by the draft and s. 106.115, 1997 stats.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)



State of Wisconsin  
2003 - 2004 LEGISLATURE

Soon

LRB-1689/7  
GMM:kjf:pg  
3  
JWR

DNX

DOA:.....Hummert - BB0407, Elimination of Governor's Work-Based Learning Board

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

Under current law, the Governor's Work-Based Learning Board (GWBLB) is required to plan, coordinate, administer, and implement certain youth apprenticeship, school-to-work, and work-based learning programs and such other employment and education programs as the governor may, by executive order, assign to the GWBLB. This bill eliminates the GWBLB and transfers administration of the employment and education programs currently administered by the GWBLB to DWD. The bill also creates the Governor's Work-Based Learning Council (GWBLC) and directs the GWBLC to oversee the planning, coordination, administration, and implementation by DWD of those programs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 15.07 (2) (k) of the statutes is repealed.

15.227

renumbered 15.227 (18) (title) and

renumbered 15.227 (18) (a) and

change component  
1  
2  
change component  
4  
change component  
8  
change component  
10  
Insert  
2-11  
12

SECTION 2. 15.225 (3) (title) of the statutes is amended to read:

~~15.225~~ (3) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

SECTION 3. 15.225 (3) (a) of the statutes is amended to read:

~~15.225~~ (3) (a) There is created a governor's work-based learning board which is attached to the department of workforce development under s. 15.03 council consisting of the members specified in par. (b).

renumbered 15.227 (18) (b) (intro.) and

SECTION 4. 15.225 (3) (b) (intro.) of the statutes is amended to read:

~~15.225~~ (3) (b) (intro.) The governor's work-based learning board council shall consist of the following members:

renumbered 15.227 (18) (b) 1. and

SECTION 5. 15.225 (3) (b) 1. of the statutes is amended to read:

~~15.225~~ (3) (b) 1. The governor, who shall serve as chairperson of the council.

SECTION 6. 20.445 (1) (ga) of the statutes is amended to read:

20.445 (1) (ga) Auxiliary services. All moneys received from fees collected under ss. 102.16 (2m) (d), 103.005 (15) and, 106.09 (7), and 106.12 (4) for the delivery of services under ss. 102.16 (2m) (f), 103.005 (15) and, 106.09, and 106.12 (4) and ch. 108.

SECTION 7. 20.445 (7) (title) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 8. 20.445 (7) (a) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 9. 20.445 (7) (b) of the statutes is renumbered 20.445 (1) (e).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 10. 20.445 (7) (ef) of the statutes is renumbered 20.445 (1) (ef).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 11.** 20.445 (7) (em) of the statutes is renumbered 20.445 (1) (em).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 12.** 20.445 (7) (ga) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3           **SECTION 13.** 20.445 (7) (kb) of the statutes is renumbered 20.445 (1) (ke).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 14.** 20.445 (7) (kd) of the statutes is renumbered 20.445 (1) (kd).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 15.** 20.445 (7) (kx) of the statutes is renumbered 20.445 (1) (kx).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 16.** 20.445 (7) (m) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 17.** 20.505 (8) (hm) 18j. of the statutes is amended to read:

8           20.505 (8) (hm) 18j. The amount transferred to s. 20.445 (~~7~~) (1) (kd) shall be the  
9 amount in the schedule under s. 20.445 (~~7~~) (1) (kd).

10          **SECTION 18.** 20.923 (4) (c) 5. of the statutes is amended to read:

11          20.923 (4) (c) 5. Governor's work-based learning ~~board~~ council: executive  
12 director.

13          **SECTION 19.** 106.12 (title) of the statutes is amended to read:

14          **106.12 (title) Governor's work-based learning ~~board~~ council.**

15          **SECTION 20.** 106.12 (1) of the statutes is amended to read:

16          106.12 (1) DEFINITION. In this section and s. 106.13, "~~board~~" "council" means  
17 the governor's work-based learning ~~board~~ council.

18          **SECTION 21.** 106.12 (1m) of the statutes is created to read:

1           **106.12 (1m) DUTIES OF COUNCIL.** The council shall oversee the planning,  
2 coordination, administration, and implementation of the youth apprenticeship,  
3 school-to-work, and work-based learning programs under s. 106.13 (1) and such  
4 other employment and education programs as the governor may by executive order  
5 assign to the department. In providing that oversight, the council shall do all of the  
6 following:

7           (a) Identify the employment and education needs of the state and recommend  
8 to the governor goals for meeting those needs and steps to meet those goals.

9           (b) Review the provision of services and the allocation of funding and resources  
10 under the programs specified in this subsection and recommend to the governor a  
11 strategic plan for coordinating the provision of those services and for allocating that  
12 funding and those resources, consistent with the laws rules, and regulations  
13 governing those programs, so as to best respond to the employment and education  
14 needs identified in par. (a).

15           (c) Monitor the provision of services and the expenditure of funding and  
16 resources under the programs specified in this subsection and evaluate the  
17 effectiveness of those programs in meeting the employment and education needs of  
18 the participants in those programs.

19           (d) Determine whether any federal laws, regulations, or policies impede the  
20 effectiveness or coordination of any of the programs specified in this subsection and,  
21 if so, recommend that the department seek waivers of those laws, regulations, or  
22 policies.

23           (e) Recommend for approval by the department under s. 106.13 (2m)  
24 occupations for the youth apprenticeship program and statewide skill standards for  
25 school-to-work programs.



1 (f) Review and recommend for approval by the department a school-to-work  
2 program for children at risk, as defined in s. 118.153 (1) (a), provided by a nonprofit  
3 organization under s. 106.13 (4m).

4 (g) Provide uniform performance standards that assist in evaluating the  
5 effectiveness of the employment and education programs specified in this subsection.

6 (h) Annually, prepare and submit to the legislature under s. 13.172 (2) and to  
7 the governor a report on the activities of the council that includes recommendations  
8 regarding the employment and education programs specified in this subsection.

9 **SECTION 22.** 106.12 (2) of the statutes is amended to read:

10 106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~The board~~  
11 Based on the recommendations of the council, the department shall plan, coordinate,  
12 administer, and implement the youth apprenticeship, school-to-work, and  
13 work-based learning programs under s. 106.13 (1) and such other employment and  
14 education programs as the governor may by executive order assign to the ~~board~~  
15 department. Notwithstanding any limitations placed on the use of state employment  
16 and education funds under this section or s. 106.13 or under an executive order  
17 assigning an employment and education program to the ~~board~~ department, the  
18 ~~board~~ department may issue a general or special order waiving any of those  
19 limitations on finding that the waiver will promote the coordination of employment  
20 and education services.

21 **SECTION 23.** 106.12 (3) of the statutes is amended to read:

22 106.12 (3) EXECUTIVE DIRECTOR. The governor shall appoint an executive  
23 director of the ~~board~~ council outside the classified service to serve at the pleasure of  
24 the governor. The executive director shall <sup>strike</sup> ~~be in charge of the board's administrative~~  
25 ~~functions~~ administering the programs specified in sub. (2).

assist the council in performing its duties under  
sub. (1m) and assist the department in

1           **SECTION 24.** 106.12 (4) of the statutes is amended to read:

2           106.12 (4) PUBLICATIONS AND SEMINARS. The ~~board~~ department may provide  
3 publications and seminars relating to the employment and education programs  
4 administered by the ~~board~~ department and may establish a schedule of fees for those  
5 publications and seminars. Fees established under this subsection for publications  
6 and seminars provided by the ~~board~~ department may not exceed the actual cost  
7 incurred in providing those publications and seminars. The fees collected under this  
8 subsection shall be credited to the appropriation account under s. 20.445 (7) (1) (ga).

9           **SECTION 25.** 106.13 (1) (intro.) of the statutes is amended to read:

10           106.13 (1) (intro.) The ~~board~~ department shall provide all of the following:

11           **SECTION 26.** 106.13 (2) of the statutes is amended to read:

12           106.13 (2) The governor's work-based learning council, the council on  
13 workforce investment established under 29 USC 2821, the technical college system  
14 board, and the department of public instruction shall assist the ~~board~~ department  
15 of workforce development in providing the youth apprenticeship program, the  
16 school-to-work program, and the work-based learning program under sub. (1).

17           **SECTION 27.** 106.13 (2m) of the statutes is amended to read:

18           106.13 (2m) ~~The board~~ After reviewing the recommendations of the council  
19 under s. 106.12 (1m) (e), the department shall approve occupations and maintain a  
20 list of approved occupations for the youth apprenticeship program and shall approve  
21 statewide skill standards for the school-to-work program. From the appropriation  
22 under s. 20.445 (7) (1) (a), the ~~board~~ department shall develop curricula for youth  
23 apprenticeship programs for occupations approved under this subsection.

24           **SECTION 28.** 106.13 (3m) (b) (intro.) of the statutes is amended to read:

1           106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 ~~(7)~~ (1) ~~(e)~~,  
2           the board department shall award grants to applying local partnerships for the  
3           implementation and coordination of local youth apprenticeship programs. A local  
4           partnership shall include in its grant application the identity of each public agency,  
5           nonprofit organization, individual, and other person who is a participant in the local  
6           partnership, a plan to accomplish the implementation and coordination activities  
7           specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible  
8           for receiving, managing, and accounting for the grant moneys received under this  
9           paragraph. Subject to par. (c), a local partnership that is awarded a grant under this  
10          paragraph may use the grant moneys awarded for any of the following  
11          implementation and coordination activities:

12           **SECTION 29.** 106.13 (3m) (b) 6. of the statutes is amended to read:

13           106.13 (3m) (b) 6. Any other implementation or coordination activity that the  
14          board department may direct or permit the local partnership to perform.

15           **SECTION 30.** 106.13 (4) (a) 1d. of the statutes is amended to read:

16           106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to  
17          receive a grant under this subsection according to the criteria established by the  
18          board department under par. (d).

19           **SECTION 31.** 106.13 (4) (b) of the statutes is amended to read:

20           106.13 (4) (b) From the appropriation under s. 20.445 ~~(7)~~ (1) ~~(em)~~, the board  
21          department may award a grant to a public agency or a nonprofit organization, or to  
22          an eligible employer that is responsible for the on-the-job training and supervision  
23          of a youth apprentice. A public agency or nonprofit organization that receives a grant  
24          under this subsection shall use the funds awarded under the grant to award training  
25          grants to eligible employers that provide on-the-job training and supervision for

1 youth apprentices. Subject to par. (c), a training grant provided under this  
2 subsection may be awarded to an eligible employer for each youth apprentice who  
3 receives at least 180 hours of paid on-the-job training from the eligible employer  
4 during a school year, as defined in s. 115.001 (13). The amount of a training grant  
5 may not exceed \$500 per youth apprentice per school year. A training grant may not  
6 be awarded for any specific youth apprentice for more than 2 school years.

7 **SECTION 32.** 106.13 (4) (c) of the statutes is amended to read:

8 106.13 (4) (c) Notwithstanding par. (b), the ~~board~~ department may award a  
9 training grant under this subsection to an eligible employer that provides less than  
10 180 hours of paid on-the-job training for a youth apprentice during a school year,  
11 as defined in s. 115.001 (13), if the ~~board~~ department determines that it would be  
12 beneficial for the youth apprentice to receive on-the-job training from more than one  
13 eligible employer.

14 **SECTION 33.** 106.13 (4) (d) of the statutes is amended to read:

15 106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a  
16 grant under this subsection. That criteria shall specify that eligibility for a grant  
17 shall be limited to small employers, as determined by the ~~board~~ department, and to  
18 employers providing on-the-job training in employment areas determined by the  
19 ~~board~~ department. Notwithstanding sub. (5), those criteria need not be promulgated  
20 as rules.

21 **SECTION 34.** 106.13 (4m) <sup>g</sup>(a) of the statutes is amended to read:

22 106.13 (4m) (a) ~~The board~~ After reviewing the recommendations of the council  
23 under s. 106.12 (1m) (f), the department may approve an innovative school-to-work  
24 program provided by a nonprofit organization for children at risk, as defined in s.  
25 118.153 (1) (a), in a county having a population of 500,000 or more to assist those

1 children at risk in acquiring employability skills and occupational-specific  
2 competencies before leaving high school. If the ~~board~~ department approves a  
3 program under this paragraph, the ~~board~~ department may award a grant, from the  
4 appropriation under s. 20.445 ~~(7)~~ (1) (ef), to the nonprofit organization providing the  
5 program and the nonprofit organization shall use the funds received under the grant  
6 to provide the program.

7 (b) The ~~board~~ department shall establish requirements for the operation of the  
8 grant program under this subsection. Notwithstanding sub. (5), those requirements  
9 need not be promulgated as rules.

10 **SECTION 35.** 106.13 (5) of the statutes is amended to read:

11 106.13 (5) The ~~board~~ department shall promulgate rules to administer this  
12 section.

13 **SECTION 36.** 118.34 (4) of the statutes is repealed.

14 **SECTION 37.** 230.08 (2) (yr) of the statutes is amended to read:

15 230.08 (2) (yr) The executive director of the governor's work-based learning  
16 ~~board~~ council.

17 **SECTION 9159. Nonstatutory provisions; workforce development.**

18 (1) **ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.**

19 (a) *Contracts.* All contracts entered into by the governor's work-based learning  
20 board in effect on the effective date of this paragraph remain in effect and are  
21 transferred to the department of workforce development. The department of  
22 workforce development shall carry out any obligations under such a contract until  
23 the contract is modified or rescinded by the department of workforce development  
24 to the extent allowed under the contract.

1 (b) *Rules and orders.* All rules promulgated by the governor's work-based  
2 learning board that are in effect on the effective date of this paragraph remain in  
3 effect until their specified expiration date or until amended or repealed by the  
4 department of workforce development. All orders issued by the governor's  
5 work-based learning board that are in effect on the effective date of this paragraph  
6 remain in effect until their specified expiration date or until modified or rescinded  
7 by the department of workforce development.

8 (c) *Pending matters.* Any matter pending with the governor's work-based  
9 learning board on the effective date of this paragraph is transferred to the  
10 department of workforce development, and all materials submitted to or actions  
11 taken by the governor's work-based learning board with respect to the pending  
12 matter are considered as having been submitted to or taken by the department of  
13 workforce development.

14 **SECTION 9259. Appropriation changes; workforce development.**

15 (1) **ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.**

16 (a) The unencumbered balance in the appropriation account under section  
17 20.445 (7) (ga), 2001 stats., is transferred to the appropriation account under section  
18 20.445 (1) (ga) of the statutes.

19 (b) The unencumbered balance in the appropriation account under section  
20 20.445 (7) (m), 2001 stats., is transferred to the appropriation account under section  
21 20.445 (1) (m) of the statutes.

22 (END)

↓  
DL-3/E

Insert 2-11

SEC # RV, 15.225 (3) (b) 2.; 15.227 (18) (b) 2.

# RV; 15.225 (3) (b) 3.; 15.227 (18) (b) 3.

↓ RV; 15.225 (3) (b) 4.; 15.227 (18) (b) 4.

RV; 15.225 (3) (b) 5.; 15.227 (18) (b) 5.

RV; 15.225 (3) (b) 6.; 15.227 (18) (b) 6.

RV; 15.225 (3) (b) 6<sup>g</sup>.; 15.227 (18) (b) 6<sup>g</sup>.

RV; 15.225 (3) (b) 6<sup>m</sup>.; 15.227 (18) (b) 6<sup>m</sup>.

RV; 15.225 (3) (b) 7<sup>g</sup>.; 15.227 (18) (b) 7<sup>g</sup>.

RV; 15.225 (3) (b) 8<sup>g</sup>.; 15.227 (18) (b) 8<sup>g</sup>.

RV; 15.225 (3) (b) 8<sup>m</sup>.; 15.227 (18) (b) 8<sup>m</sup>.

RV; 15.225 (3) (b) 9.; 15.227 (18) (b) 9.

6/5/11

Gmm:kjf

DM OFE  
Date

S-sh:

The redraft corrects a couple of small errors of

discovered by Peter J. Dykman, LRB General Counsel.

Specifically:

1. The redraft <sup>renumbers</sup> ~~amends~~ s. 15.225 (3) to s. 15.227 (18). That renumbering is necessary because

the Governor's Work-Based Learning <sup>(I)</sup> Board is being changed <sup>into</sup> into a <sup>(I)</sup> council.

2. The redraft changes the executive director's duties in s. 126.12 (3) from <sup>(I)</sup> administering

the programs to <sup>(I)</sup> assisting the council in performing its duties, and ~~the council~~ <sup>(I)</sup> assisting DWD

in administering the programs. <sup>(I)</sup> Technically, DWD, <sup>(I)</sup> not the council, ~~not the council~~ will administer the programs ~~and~~

~~the council will merely make recommendations~~

Gmm



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

LRB-1689/3dn  
GMM:kjf:jf

January 30, 2003

Josh:

The redraft corrects a couple of small errors discovered by Peter J. Dykman, LRB General Counsel. Specifically:

1. The redraft renumbers s. 15.225 (3) to s. 15.227 (18). That renumbering is necessary because the Governor's Work-Based Learning *Board* is being changed into a *council*.
2. The redraft changes the executive director's duties in s. 106.12 (3) from *administering* the programs to *assisting* the council in performing its duties and *assisting* DWD in administering the programs. Technically, DWD, not the council, will administer the programs.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1689/3  
GMM:kjf:jf

DOA:.....Hummert - BB0407, Elimination of Governor's Work-Based Learning Board

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

Under current law, the Governor's Work-Based Learning Board (GWBLB) is required to plan, coordinate, administer, and implement certain youth apprenticeship, school-to-work, and work-based learning programs and such other employment and education programs as the governor may, by executive order, assign to the GWBLB. This bill eliminates the GWBLB and transfers administration of the employment and education programs currently administered by the GWBLB to DWD. The bill also creates the Governor's Work-Based Learning Council (GWBLC) and directs the GWBLC to oversee the planning, coordination, administration, and implementation by DWD of those programs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

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

2 SECTION 1. 15.07 (2) (k) of the statutes is repealed.

1           **SECTION 2.** 15.225 (3) (title) of the statutes is renumbered 15.227 (18) (title) and  
2 amended to read:

3           15.227 (18) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

4           **SECTION 3.** 15.225 (3) (a) of the statutes is renumbered 15.227 (18) (a) and  
5 amended to read:

6           15.227 (18) (a) There is created a governor's work-based learning board ~~which~~  
7 ~~is attached to the department of workforce development under s. 15.03~~ council  
8 consisting of the members specified in par. (b).

9           **SECTION 4.** 15.225 (3) (b) (intro.) of the statutes is renumbered 15.227 (18) (b)  
10 (intro.) and amended to read:

11           15.227 (18) (b) (intro.) The governor's work-based learning board council shall  
12 consist of the following members:

13           **SECTION 5.** 15.225 (3) (b) 1. of the statutes is renumbered 15.227 (18) (b) 1. and  
14 amended to read:

15           15.227 (18) (b) 1. The governor, who shall serve as chairperson of the council.

16           **SECTION 6.** 15.225 (3) (b) 2. of the statutes is renumbered 15.227 (18) (b) 2.

17           **SECTION 7.** 15.225 (3) (b) 3. of the statutes is renumbered 15.227 (18) (b) 3.

18           **SECTION 8.** 15.225 (3) (b) 4. of the statutes is renumbered 15.227 (18) (b) 4.

19           **SECTION 9.** 15.225 (3) (b) 5. of the statutes is renumbered 15.227 (18) (b) 5.

20           **SECTION 10.** 15.225 (3) (b) 6. of the statutes is renumbered 15.227 (18) (b) 6.

21           **SECTION 11.** 15.225 (3) (b) 6g. of the statutes is renumbered 15.227 (18) (b) 6g.

22           **SECTION 12.** 15.225 (3) (b) 6m. of the statutes is renumbered 15.227 (18) (b) 6m.

23           **SECTION 13.** 15.225 (3) (b) 7g. of the statutes is renumbered 15.227 (18) (b) 7g.

24           **SECTION 14.** 15.225 (3) (b) 8g. of the statutes is renumbered 15.227 (18) (b) 8g.

25           **SECTION 15.** 15.225 (3) (b) 8m. of the statutes is renumbered 15.227 (18) (b) 8m.

1           **SECTION 16.** 15.225 (3) (b) 9. of the statutes is renumbered 15.227 (18) (b) 9.

2           **SECTION 17.** 20.445 (1) (ga) of the statutes is amended to read:

3           20.445 (1) (ga) *Auxiliary services.* All moneys received from fees collected  
4 under ss. 102.16 (2m) (d), 103.005 (15) ~~and~~, 106.09 (7), and 106.12 (4) for the delivery  
5 of services under ss. 102.16 (2m) (f), 103.005 (15) ~~and~~, 106.09, and 106.12 (4) and ch.  
6 108.

7           **SECTION 18.** 20.445 (7) (title) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 19.** 20.445 (7) (a) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 20.** 20.445 (7) (b) of the statutes is renumbered 20.445 (1) (e).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 21.** 20.445 (7) (ef) of the statutes is renumbered 20.445 (1) (ef).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 22.** 20.445 (7) (em) of the statutes is renumbered 20.445 (1) (em).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 23.** 20.445 (7) (ga) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13          **SECTION 24.** 20.445 (7) (kb) of the statutes is renumbered 20.445 (1) (ke).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14          **SECTION 25.** 20.445 (7) (kd) of the statutes is renumbered 20.445 (1) (kd).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 26.** 20.445 (7) (kx) of the statutes is renumbered 20.445 (1) (kx).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 27.** 20.445 (7) (m) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 28.** 20.505 (8) (hm) 18j. of the statutes is amended to read:

3           20.505 (8) (hm) 18j. The amount transferred to s. 20.445 ~~(7)~~ (1) (kd) shall be the  
4 amount in the schedule under s. 20.445 ~~(7)~~ (1) (kd).

5           **SECTION 29.** 20.923 (4) (c) 5. of the statutes is amended to read:

6           20.923 (4) (c) 5. Governor's work-based learning ~~board~~ council: executive  
7 director.

8           **SECTION 30.** 106.12 (title) of the statutes is amended to read:

9           **106.12 (title) Governor's work-based learning ~~board~~ council.**

10          **SECTION 31.** 106.12 (1) of the statutes is amended to read:

11          106.12 (1) DEFINITION. In this section and s. 106.13, "~~board~~" "council" means  
12 the governor's work-based learning ~~board~~ council.

13          **SECTION 32.** 106.12 (1m) of the statutes is created to read:

14          106.12 (1m) DUTIES OF COUNCIL. The council shall oversee the planning,  
15 coordination, administration, and implementation of the youth apprenticeship,  
16 school-to-work, and work-based learning programs under s. 106.13 (1) and such  
17 other employment and education programs as the governor may by executive order  
18 assign to the department. In providing that oversight, the council shall do all of the  
19 following:

20           (a) Identify the employment and education needs of the state and recommend  
21 to the governor goals for meeting those needs and steps to meet those goals.

22           (b) Review the provision of services and the allocation of funding and resources  
23 under the programs specified in this subsection and recommend to the governor a

1 strategic plan for coordinating the provision of those services and for allocating that  
2 funding and those resources, consistent with the laws rules, and regulations  
3 governing those programs, so as to best respond to the employment and education  
4 needs identified in par. (a).

5 (c) Monitor the provision of services and the expenditure of funding and  
6 resources under the programs specified in this subsection and evaluate the  
7 effectiveness of those programs in meeting the employment and education needs of  
8 the participants in those programs.

9 (d) Determine whether any federal laws, regulations, or policies impede the  
10 effectiveness or coordination of any of the programs specified in this subsection and,  
11 if so, recommend that the department seek waivers of those laws, regulations, or  
12 policies.

13 (e) Recommend for approval by the department under s. 106.13 (2m)  
14 occupations for the youth apprenticeship program and statewide skill standards for  
15 school-to-work programs.

16 (f) Review and recommend for approval by the department a school-to-work  
17 program for children at risk, as defined in s. 118.153 (1) (a), provided by a nonprofit  
18 organization under s. 106.13 (4m).

19 (g) Provide uniform performance standards that assist in evaluating the  
20 effectiveness of the employment and education programs specified in this subsection.

21 (h) Annually, prepare and submit to the legislature under s. 13.172 (2) and to  
22 the governor a report on the activities of the council that includes recommendations  
23 regarding the employment and education programs specified in this subsection.

24 **SECTION 33.** 106.12 (2) of the statutes is amended to read:

1           106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~The board~~  
2     Based on the recommendations of the council, the department shall plan, coordinate,  
3     administer, and implement the youth apprenticeship, school-to-work, and  
4     work-based learning programs under s. 106.13 (1) and such other employment and  
5     education programs as the governor may by executive order assign to the ~~board~~  
6     department. Notwithstanding any limitations placed on the use of state employment  
7     and education funds under this section or s. 106.13 or under an executive order  
8     assigning an employment and education program to the ~~board~~ department, the  
9     ~~board~~ department may issue a general or special order waiving any of those  
10    limitations on finding that the waiver will promote the coordination of employment  
11    and education services.

12           **SECTION 34.** 106.12 (3) of the statutes is amended to read:

13           106.12 (3) EXECUTIVE DIRECTOR. The governor shall appoint an executive  
14    director of the ~~board~~ council outside the classified service to serve at the pleasure of  
15    the governor. The executive director shall ~~be in charge of the board's administrative~~  
16    ~~functions~~ assist the council in performing its duties under sub. (1m) and assist the  
17    department in administering the programs specified in sub. (2).

18           **SECTION 35.** 106.12 (4) of the statutes is amended to read:

19           106.12 (4) PUBLICATIONS AND SEMINARS. The ~~board~~ department may provide  
20    publications and seminars relating to the employment and education programs  
21    administered by the ~~board~~ department and may establish a schedule of fees for those  
22    publications and seminars. Fees established under this subsection for publications  
23    and seminars provided by the ~~board~~ department may not exceed the actual cost  
24    incurred in providing those publications and seminars. The fees collected under this  
25    subsection shall be credited to the appropriation account under s. 20.445 (7) (1) (ga).

1           **SECTION 36.** 106.13 (1) (intro.) of the statutes is amended to read:

2           106.13 (1) (intro.) The ~~board~~ department shall provide all of the following:

3           **SECTION 37.** 106.13 (2) of the statutes is amended to read:

4           106.13 (2) The governor's work-based learning council, the council on  
5 workforce investment established under 29 USC 2821, the technical college system  
6 board, and the department of public instruction shall assist the ~~board~~ department  
7 of workforce development in providing the youth apprenticeship program, the  
8 school-to-work program, and the work-based learning program under sub. (1).

9           **SECTION 38.** 106.13 (2m) of the statutes is amended to read:

10           106.13 (2m) ~~The board~~ After reviewing the recommendations of the council  
11 under s. 106.12 (1m) (e), the department shall approve occupations and maintain a  
12 list of approved occupations for the youth apprenticeship program and shall approve  
13 statewide skill standards for the school-to-work program. From the appropriation  
14 under s. 20.445 (7) (1) (a), the ~~board~~ department shall develop curricula for youth  
15 apprenticeship programs for occupations approved under this subsection.

16           **SECTION 39.** 106.13 (3m) (b) (intro.) of the statutes is amended to read:

17           106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (7) (b) (1) (e),  
18 the ~~board~~ department shall award grants to applying local partnerships for the  
19 implementation and coordination of local youth apprenticeship programs. A local  
20 partnership shall include in its grant application the identity of each public agency,  
21 nonprofit organization, individual, and other person who is a participant in the local  
22 partnership, a plan to accomplish the implementation and coordination activities  
23 specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible  
24 for receiving, managing, and accounting for the grant moneys received under this  
25 paragraph. Subject to par. (c), a local partnership that is awarded a grant under this



1 paragraph may use the grant moneys awarded for any of the following  
2 implementation and coordination activities:

3 **SECTION 40.** 106.13 (3m) (b) 6. of the statutes is amended to read:

4 106.13 (3m) (b) 6. Any other implementation or coordination activity that the  
5 ~~board~~ department may direct or permit the local partnership to perform.

6 **SECTION 41.** 106.13 (4) (a) 1d. of the statutes is amended to read:

7 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to  
8 receive a grant under this subsection according to the criteria established by the  
9 ~~board~~ department under par. (d).

10 **SECTION 42.** 106.13 (4) (b) of the statutes is amended to read:

11 106.13 (4) (b) From the appropriation under s. 20.445 (~~7~~) (1) (em), the ~~board~~  
12 department may award a grant to a public agency or a nonprofit organization, or to  
13 an eligible employer that is responsible for the on-the-job training and supervision  
14 of a youth apprentice. A public agency or nonprofit organization that receives a grant  
15 under this subsection shall use the funds awarded under the grant to award training  
16 grants to eligible employers that provide on-the-job training and supervision for  
17 youth apprentices. Subject to par. (c), a training grant provided under this  
18 subsection may be awarded to an eligible employer for each youth apprentice who  
19 receives at least 180 hours of paid on-the-job training from the eligible employer  
20 during a school year, as defined in s. 115.001 (13). The amount of a training grant  
21 may not exceed \$500 per youth apprentice per school year. A training grant may not  
22 be awarded for any specific youth apprentice for more than 2 school years.

23 **SECTION 43.** 106.13 (4) (c) of the statutes is amended to read:

24 106.13 (4) (c) Notwithstanding par. (b), the ~~board~~ department may award a  
25 training grant under this subsection to an eligible employer that provides less than

1 180 hours of paid on-the-job training for a youth apprentice during a school year,  
2 as defined in s. 115.001 (13), if the ~~board~~ department determines that it would be  
3 beneficial for the youth apprentice to receive on-the-job training from more than one  
4 eligible employer.

5 **SECTION 44.** 106.13 (4) (d) of the statutes is amended to read:

6 106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a  
7 grant under this subsection. That criteria shall specify that eligibility for a grant  
8 shall be limited to small employers, as determined by the ~~board~~ department, and to  
9 employers providing on-the-job training in employment areas determined by the  
10 ~~board~~ department. Notwithstanding sub. (5), those criteria need not be promulgated  
11 as rules.

12 **SECTION 45.** 106.13 (4m) of the statutes is amended to read:

13 106.13 (4m) (a) ~~The board~~ After reviewing the recommendations of the council  
14 under s. 106.12 (1m) (f), the department may approve an innovative school-to-work  
15 program provided by a nonprofit organization for children at risk, as defined in s.  
16 118.153 (1) (a), in a county having a population of 500,000 or more to assist those  
17 children at risk in acquiring employability skills and occupational-specific  
18 competencies before leaving high school. If the ~~board~~ department approves a  
19 program under this paragraph, the ~~board~~ department may award a grant, from the  
20 appropriation under s. 20.445 (7) (1) (ef), to the nonprofit organization providing the  
21 program and the nonprofit organization shall use the funds received under the grant  
22 to provide the program.

23 (b) The ~~board~~ department shall establish requirements for the operation of the  
24 grant program under this subsection. Notwithstanding sub. (5), those requirements  
25 need not be promulgated as rules.

1           **SECTION 46.** 106.13 (5) of the statutes is amended to read:

2           106.13 (5) The ~~board~~ department shall promulgate rules to administer this  
3 section.

4           **SECTION 47.** 118.34 (4) of the statutes is repealed.

5           **SECTION 48.** 230.08 (2) (yr) of the statutes is amended to read:

6           230.08 (2) (yr) The executive director of the governor's work-based learning  
7 ~~board~~ council.

8           **SECTION 9159. Nonstatutory provisions; workforce development.**

9           (1) **ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.**

10          (a) *Contracts.* All contracts entered into by the governor's work-based learning  
11 board in effect on the effective date of this paragraph remain in effect and are  
12 transferred to the department of workforce development. The department of  
13 workforce development shall carry out any obligations under such a contract until  
14 the contract is modified or rescinded by the department of workforce development  
15 to the extent allowed under the contract.

16          (b) *Rules and orders.* All rules promulgated by the governor's work-based  
17 learning board that are in effect on the effective date of this paragraph remain in  
18 effect until their specified expiration date or until amended or repealed by the  
19 department of workforce development. All orders issued by the governor's  
20 work-based learning board that are in effect on the effective date of this paragraph  
21 remain in effect until their specified expiration date or until modified or rescinded  
22 by the department of workforce development.

23          (c) *Pending matters.* Any matter pending with the governor's work-based  
24 learning board on the effective date of this paragraph is transferred to the  
25 department of workforce development, and all materials submitted to or actions

1 taken by the governor's work-based learning board with respect to the pending  
2 matter are considered as having been submitted to or taken by the department of  
3 workforce development.

4 **SECTION 9259. Appropriation changes; workforce development.**

5 (1) **ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.**

6 (a) The unencumbered balance in the appropriation account under section  
7 20.445 (7) (ga), 2001 stats., is transferred to the appropriation account under section  
8 20.445 (1) (ga) of the statutes.

9 (b) The unencumbered balance in the appropriation account under section  
10 20.445 (7) (m), 2001 stats., is transferred to the appropriation account under section  
11 20.445 (1) (m) of the statutes.

12

(END)