



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1712/A
GMM/kjf:eph

3
AMR

DOA:.....Hummert - BB0425, Transfer Wisconsin conservation corps administration to DWD

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 Wisconsin Conservation Corps (WCC) employs young adults to work on conservation and human services activities. The WCC Program is administered by the WCC Board, which may delegate its administrative responsibilities to the executive secretary of the board. This bill eliminates the WCC, the WCC Board, and the position of executive secretary of the WCC Board and, instead, requires DWD to provide grants to community-based nonprofit organizations for the provision of youth employment projects that provide employment for youths 14 years of age or over, but less than 21 years of age, in all regions of this state; ~~that~~ conserve, develop, enhance, or maintain the natural resources of this state; ~~and~~ promote the social well-being of children, the elderly, persons with disabilities, and persons with low incomes; that encourage and develop employment and life skills, discipline, and cooperation in project participants by providing meaningful work experiences and training and educational opportunities for those participants; ~~and~~ that pay not less than the minimum wage.

move

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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:

1 **SECTION 1.** 15.105 (4) of the statutes is amended to read:

2 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
3 is attached to the department of administration under s. 15.03. The public records
4 board shall consist of the governor, the director of the historical society, the attorney
5 general, the state auditor, and the director of the legislative council staff, or their
6 designated representatives, and a representative of the small business community,
7 a representative of ~~a local unit of government~~ the governing body of a municipality,
8 as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

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10 **SECTION 3.** 16.53 (1) (d) 1. of the statutes is amended to read:

11 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
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14 officers and employees of the state. As determined under this subdivision, the
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16 **SECTION 20.** 30.275 (5) of the statutes is repealed.

17 **SECTION 21.** 30.277 (7) of the statutes is repealed.

18 **SECTION 22.** 30.92 (7) of the statutes is repealed.

19 **SECTION 23.** 30.93 (3) (b) of the statutes is amended to read:

20 30.93 (3) (b) *Authority to contract; Wisconsin conservation corps.* The
21 commission may contract with public agencies, public or private organizations,

1 businesses, or individuals to carry out management or operation responsibilities for
2 the Fox River navigational system. The commission may contract with the
3 department of health and family services or other state agency to carry out
4 management or operation responsibilities for the Fox River navigational system.
5 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~
6 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
7 ~~management or operation responsibilities for the Fox River navigational system.~~

8 **SECTION 24.** 33.445 (4) of the statutes is repealed.

9 **SECTION 25.** 33.56 (4) of the statutes is repealed.

10 **SECTION 26.** 40.02 (25) (b) 2m. of the statutes is repealed.

11 **SECTION 27.** 40.05 (4) (a) 2. of the statutes is amended to read:

12 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
13 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
14 contributions toward the health insurance premium of the insured employee
15 beginning on the date on which the employee becomes insured. For an insured
16 employee who is currently employed but who is not an eligible employee under s.
17 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
18 contributions toward the health insurance premium of the insured employee
19 beginning on the first day of the 7th month beginning after the date on which the
20 employee begins employment with the state, not including any leave of absence.

21 **SECTION 28.** 84.04 (3) of the statutes is repealed.

22 **SECTION 29.** 84.07 (5) of the statutes is repealed.

23 **SECTION 30.** 85.09 (2) (a) of the statutes is amended to read:

24 85.09 (2) (a) The department of transportation shall have the first right to
25 acquire, for present or future transportational or recreational purposes, any

1 property used in operating a railroad or railway, including land and rails, ties,
2 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
3 has been abandoned. The department of transportation may, in connection with
4 abandoned rail property, assign this right to a state agency, the board of regents of
5 the University of Wisconsin System, any county or municipality, or any transit
6 commission. Acquisition by the department of transportation may be by gift,
7 purchase, or condemnation in accordance with the procedure under s. 32.05. In
8 addition to its property management authority under s. 85.15, the department of
9 transportation may lease and collect rents and fees for any use of rail property
10 pending discharge of the department's duty to convey property that is not necessary
11 for a public purpose. ~~In exercising its property management authority, the~~
12 ~~department of transportation, to the greatest extent practicable, shall encourage and~~
13 ~~utilize the Wisconsin conservation corps for appropriate projects.~~ No person owning
14 abandoned rail property, including any person to whom ownership reverts upon
15 abandonment, may convey or dispose of any abandoned rail property without first
16 obtaining a written release from the department of transportation indicating that
17 the first right of acquisition under this subsection will not be exercised or assigned.
18 No railroad or railway may convey any rail property prior to abandonment if the rail
19 property is part of a rail line shown on the railroad's system map as in the process
20 of abandonment, expected to be abandoned, or under study for possible
21 abandonment unless the conveyance or disposal is for the purpose of providing
22 continued rail service under another company or agency. Any conveyance made
23 without obtaining such release is void. The first right of acquisition of the
24 department of transportation under this subsection does not apply to any rail
25 property declared by the department to be abandoned before January 1, 1977. The

1 department of transportation may acquire any abandoned rail property under this
2 section regardless of the date of its abandonment.

3 **SECTION 31.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

4 91.19 (6s) (a) (intro.) The department may release from a farmland
5 preservation agreement any land acquired or to be acquired by ~~a local unit of~~
6 ~~government~~ the governing body of a municipality, as defined in s. ~~106.215 (1) (e)~~
7 ~~281.59 (1) (c)~~, for public improvements or structures, including highway
8 improvements, if all of the following occur:

9 **SECTION 32.** 106.215 (title) of the statutes is amended to read:

10 **106.215** (title) ~~Wisconsin conservation corps program~~ Youth
11 employment projects.

12 **SECTION 33.** 106.215 (1) (intro.) of the statutes is repealed.

13 **SECTION 34.** 106.215 (1) (a) of the statutes is repealed.

14 **SECTION 35.** 106.215 (1) (b) of the statutes is repealed.

15 **SECTION 36.** 106.215 (1) (c) of the statutes is repealed.

16 **SECTION 37.** 106.215 (1) (cg) of the statutes is repealed.

17 **SECTION 38.** 106.215 (1) (cm) of the statutes is repealed.

18 **SECTION 39.** 106.215 (1) (d) of the statutes is repealed.

19 **SECTION 40.** 106.215 (1) (e) of the statutes is repealed.

20 **SECTION 41.** 106.215 (1) (f) of the statutes is repealed.

21 **SECTION 42.** 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
22 amended to read:

23 977.01 (2) “Public assistance” means relief provided by counties under s. 59.53
24 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
25 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income

1 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
2 food stamp program under 7 USC 2011 to 2029.

3 **SECTION 43.** 106.215 (1) (g) of the statutes is repealed.

4 **SECTION 44.** 106.215 (2) of the statutes is amended to read:

5 106.215 (2) OBJECTIVES. The ~~board~~ department shall develop guidelines for the
6 ~~Wisconsin conservation corps program~~ youth employment projects funded under
7 sub. (1m) designed to promote the all of the following objectives of:

8 (a) *Employment of young adults youth.* Providing employment for ~~young men~~
9 ~~and women~~ youth 14 years of age or over, but under 21 years of age, in all regions of
10 the state.

11 (b) *Conservation.* Conserving, developing, enhancing, or maintaining the
12 natural resources of this state through the implementation of projects ~~which~~ that
13 have a long-term beneficial impact on the environment.

14 (c) *Personal development.* Encouraging and developing ~~work~~ employment and
15 life skills, discipline, and cooperation, in project participants by providing
16 meaningful work experiences and training and educational opportunities for ~~corps~~
17 enrollees those participants.

18 (d) *Human services.* Promoting the social well-being of children, the elderly,
19 persons with disabilities, and persons with low incomes through the implementation
20 of human services projects ~~that include human services activities~~.

21 **SECTION 45.** 106.215 (2) (e) of the statutes is created to read:

22 106.215 (2) (e) *Wages.* Providing project participants with a wage that is not
23 less than the federal minimum wage or the applicable state minimum wage
24 established under ch. 104, whichever is greater.

25 **SECTION 46.** 106.215 (3) of the statutes is repealed.

1 SECTION 47. 106.215 (3m) of the statutes is repealed.

2 SECTION 48. 106.215 (4) of the statutes is repealed.

3 SECTION 49. 106.215 (5) of the statutes is repealed.

4 SECTION 50. 106.215 (6) of the statutes is repealed.

5 SECTION 51. 106.215 (7) (title) of the statutes is repealed.

6 SECTION 52. 106.215 (7) (a) of the statutes is repealed.

7 SECTION 53. 106.215 (7) (am) of the statutes is repealed.

8 SECTION 54. 106.215 (7) (b) of the statutes is repealed.

9 SECTION 55. 106.215 (7) (c) of the statutes is renumbered 106.215 (1m) and

10 amended to read:

Youth employment

Moneys

plan
From those moneys
that

11 106.215 (1m) CONSERVATION FUND APPROPRIATION YOUTH EMPLOYMENT PROJECT

12 (12) GRANTS. Notwithstanding par. (a), ~~the~~ moneys appropriated under s. 20.445 (6) (1)

13 (u) that are not derived from the forestation state tax under s. 70.58 may be utilized

14 for any project approved by the board/department regardless of whether the project consists in

15 whole or in part of conservation activities the department shall provide grants to

16 community-based nonprofit organizations, as defined in s. 108.02 (19), for the

17 provision of youth employment projects that are designed to meet the objectives

18 (18) specified in sub. (2) (a), (c), and (e) and one or more of the objectives

specified in sub. (2) (b) and (d).

19 SECTION 56. 106.215 (8) of the statutes is repealed.

20 SECTION 57. 106.215 (8g) of the statutes is repealed.

21 SECTION 58. 106.215 (8m) of the statutes is repealed.

22 SECTION 59. 106.215 (9) of the statutes is repealed.

23 SECTION 60. 106.215 (10) (title) of the statutes is repealed.

24 SECTION 61. 106.215 (10) (a) of the statutes is repealed.

25 SECTION 62. 106.215 (10) (b) of the statutes is repealed.

1 **SECTION 63.** 106.215 (10) (c) of the statutes is repealed.

2 **SECTION 64.** 106.215 (10) (e) of the statutes is repealed.

3 **SECTION 65.** 106.215 (10) (f) of the statutes is repealed.

4 **SECTION 66.** 106.215 (10) (fm) of the statutes is repealed.

5 **SECTION 67.** 106.215 (10) (g) (title) and 1. of the statutes are repealed.

6 **SECTION 68.** 106.215 (10) (g) 1m. of the statutes is repealed.

7 **SECTION 69.** 106.215 (10) (g) 2. of the statutes is repealed.

8 **SECTION 70.** 106.215 (10) (g) 2m. of the statutes is repealed.

9 **SECTION 71.** 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and
10 amended to read:

11 **106.217 Wisconsin conservation corps education vouchers.** The An
12 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
13 after the date of issuance for the payment of tuition and required program activity
14 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
15 the voucher. ~~The board~~ department shall authorize payment to the institution of face
16 value of the voucher upon presentment.

17 **SECTION 72.** 106.215 (10) (g) 4. of the statutes is repealed.

18 **SECTION 73.** 106.215 (10) (h) of the statutes is repealed.

19 **SECTION 74.** 106.215 (11) of the statutes is repealed.

20 **SECTION 75.** 106.215 (12) of the statutes is repealed.

21 **SECTION 76.** 106.215 (13) of the statutes is repealed.

22 **SECTION 77.** 106.217 of the statutes, as affected by 2003 Wisconsin Act (this
23 act), is repealed.

24 **SECTION 78.** 111.335 (1) (cv) of the statutes is amended to read:

1 111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment
2 discrimination because of conviction record to refuse to employ in a position in the
3 classified service, or in a position described in s. 230.08 (2) (k), ~~or as a corps enrollee~~
4 ~~with the Wisconsin conservation corps under s. 106.215 (1) (e)~~ a person who has been
5 convicted under 50 USC, Appendix, section 462 for refusing to register with the
6 selective service system and who has not been pardoned.

7 **SECTION 79.** 230.143 (3) of the statutes is repealed.

8 **SECTION 80.** 281.65 (10) of the statutes is repealed.

9 **SECTION 81.** 303.066 of the statutes is repealed.

10 **SECTION 82.** 977.01 of the statutes is renumbered 977.01 (intro.) and amended
11 to read:

12 **977.01 Definitions.** (intro.) In this chapter, unless the context requires
13 otherwise, ~~“board”~~:

14 **(1) “Board”** means the public defender board.

15 **SECTION 83.** 977.06 (1) (a) of the statutes is amended to read:

16 977.06 (1) (a) Verify the information necessary to determine indigency under
17 s. 977.07 (2). The information provided by a person seeking assigned counsel that
18 is subject to verification shall include any social security numbers provided on an
19 application under sub. (1m), income records, value of assets, eligibility for public
20 assistance, ~~as defined in s. 106.215 (1) (fm)~~, and claims of expenses.

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

22 (1) **ELIMINATION OF WISCONSIN CONSERVATION CORPS.**

23 (a) *Contracts.* All contracts entered into by the Wisconsin conservation corps
24 board in effect on the effective date of this paragraph remain in effect and are
25 transferred to the department of workforce development.

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

8 (c) *Pending matters.* Any matter pending with the Wisconsin conservation
9 corps on the effective date of this paragraph is transferred to the department of
10 workforce development and all materials submitted to or actions taken by the
11 Wisconsin conservation corps with respect to the pending matter are considered as
12 having been submitted to or taken by the department of workforce development.

13 **SECTION 9459. Effective dates; workforce development.**

14 (1) **ELIMINATION OF WISCONSIN CONSERVATION CORPS.** The amendment of section
15 20.445 (1) (u) of the statutes and the repeal of section 106.217 of the statutes take
16 effect on the first day of the 48th month beginning after publication.

17 (END)

Insert
12-12

Insert 12-12

(d)

(d) Employee transfers The secretary of administration shall designate one or more incumbent employees of the department of commerce to be transferred to the department of workforce development to administer the youth employment projects ^{affected} grants under section 106.215 of the statutes, as ~~created~~ by this act. If either department is dissatisfied with the secretary's determination, that department may ~~may~~ bring the matter to the ~~the~~ cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision. The employees

(e)

Employee status Employees transferred under paragraph (d) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of workforce development ⁱⁿ that they enjoyed in the department of commerce immediately

before the transfer. ²⁸ Notwithstanding section 230.08 (4) of

First 12-12)

The statutes no employee ^{so} transferred who has
permanent class
attained permanent status in class is required to serve
period
a probationary period.

(edit out)



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6 designated representatives, and a representative of the small business community,
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16 ~~SECTION 20.~~ 30.275 (5) of the statutes is repealed.

17 ~~SECTION 21.~~ 30.277 (7) of the statutes is repealed.

18 ~~SECTION 22.~~ 30.92 (7) of the statutes is repealed.

19 ~~SECTION 23.~~ 30.93 (3) (b) of the statutes is amended to read:

20 30.93 (3) (b) *Authority to contract; ~~Wisconsin conservation corps.~~* The
21 commission may contract with public agencies, public or private organizations,

1 businesses, or individuals to carry out management or operation responsibilities for
2 the Fox River navigational system. The commission may contract with the
3 department of health and family services or other state agency to carry out
4 management or operation responsibilities for the Fox River navigational system.
5 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~
6 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
7 ~~management or operation responsibilities for the Fox River navigational system.~~

8 ~~SECTION 24.~~ 33.445 (4) of the statutes is repealed.

9 ~~SECTION 25.~~ 33.56 (4) of the statutes is repealed.

10 ~~SECTION 26.~~ 40.02 (25) (b) 2m. of the statutes is repealed.

11 ~~SECTION 27.~~ 40.05 (4) (a) 2. of the statutes is amended to read:

12 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
13 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
14 contributions toward the health insurance premium of the insured employee
15 beginning on the date on which the employee becomes insured. For an insured
16 employee who is currently employed but who is not an eligible employee under s.
17 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
18 contributions toward the health insurance premium of the insured employee
19 beginning on the first day of the 7th month beginning after the date on which the
20 employee begins employment with the state, not including any leave of absence.

21 ~~SECTION 28.~~ 84.04 (3) of the statutes is repealed.

22 ~~SECTION 29.~~ 84.07 (5) of the statutes is repealed.

23 ~~SECTION 30.~~ 85.09 (2) (a) of the statutes is amended to read:

24 85.09 (2) (a) The department of transportation shall have the first right to
25 acquire, for present or future transportation or recreational purposes, any

1 property used in operating a railroad or railway, including land and rails, ties,
2 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
3 has been abandoned. The department of transportation may, in connection with
4 abandoned rail property, assign this right to a state agency, the board of regents of
5 the University of Wisconsin System, any county or municipality, or any transit
6 commission. Acquisition by the department of transportation may be by gift,
7 purchase, or condemnation in accordance with the procedure under s. 32.05. In
8 addition to its property management authority under s. 85.15, the department of
9 transportation may lease and collect rents and fees for any use of rail property
10 pending discharge of the department's duty to convey property that is not necessary
11 for a public purpose. ~~In exercising its property management authority, the~~
12 ~~department of transportation, to the greatest extent practicable, shall encourage and~~
13 ~~utilize the Wisconsin conservation corps for appropriate projects.~~ No person owning
14 abandoned rail property, including any person to whom ownership reverts upon
15 abandonment, may convey or dispose of any abandoned rail property without first
16 obtaining a written release from the department of transportation indicating that
17 the first right of acquisition under this subsection will not be exercised or assigned.
18 No railroad or railway may convey any rail property prior to abandonment if the rail
19 property is part of a rail line shown on the railroad's system map as in the process
20 of abandonment, expected to be abandoned, or under study for possible
21 abandonment unless the conveyance or disposal is for the purpose of providing
22 continued rail service under another company or agency. Any conveyance made
23 without obtaining such release is void. The first right of acquisition of the
24 department of transportation under this subsection does not apply to any rail
25 property declared by the department to be abandoned before January 1, 1977. The

1 department of transportation may acquire any abandoned rail property under this
2 section regardless of the date of its abandonment.

3 ~~SECTION 31.~~ 91.19 (6s) (a) (intro.) of the statutes is amended to read:

4 91.19 (6s) (a) (intro.) The department may release from a farmland
5 preservation agreement any land acquired or to be acquired by ~~a local unit of~~
6 ~~government~~ the governing body of a municipality, as defined in s. ~~106.215 (1) (e)~~
7 ~~281.59 (1) (c)~~, for public improvements or structures, including highway
8 improvements, if all of the following occur:

9 ~~SECTION 32.~~ 106.215 (title) of the statutes is amended to read:

10 106.215 (title) ~~Wisconsin conservation corps program~~ Youth
11 employment projects.

12 ~~SECTION 33.~~ 106.215 (1) (intro.) of the statutes is repealed.

13 ~~SECTION 34.~~ 106.215 (1) (a) of the statutes is repealed.

14 ~~SECTION 35.~~ 106.215 (1) (b) of the statutes is repealed.

15 ~~SECTION 36.~~ 106.215 (1) (c) of the statutes is repealed.

16 ~~SECTION 37.~~ 106.215 (1) (cg) of the statutes is repealed.

17 ~~SECTION 38.~~ 106.215 (1) (cm) of the statutes is repealed.

18 ~~SECTION 39.~~ 106.215 (1) (d) of the statutes is repealed.

19 ~~SECTION 40.~~ 106.215 (1) (e) of the statutes is repealed.

20 ~~SECTION 41.~~ 106.215 (1) (f) of the statutes is repealed.

21 ~~SECTION 42.~~ 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
22 amended to read:

23 977.01 (2) "Public assistance" means relief provided by counties under s. 59.53
24 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
25 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income

1 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
2 food stamp program under 7 USC 2011 to 2029.

3 ~~SECTION 43.~~ 106.215 (1) (g) of the statutes is repealed.

4 ~~SECTION 44.~~ 106.215 (2) of the statutes is amended to read:

5 106.215 (2) OBJECTIVES. The ~~board~~ department shall develop guidelines for the
6 ~~Wisconsin conservation corps program~~ youth employment projects funded under
7 sub. (1m) designed to promote ~~the~~ all of the following objectives of:

8 (a) *Employment of young adults youth.* Providing employment for ~~young men~~
9 ~~and women youth~~ 14 years of age or over, but under 21 years of age, in all regions of
10 the state.

11 (b) *Conservation.* Conserving, developing, enhancing, or maintaining the
12 natural resources of this state through the implementation of projects ~~which~~ that
13 have a long-term beneficial impact on the environment.

14 (c) *Personal development.* Encouraging and developing ~~work~~ employment and
15 life skills, discipline, and cooperation, in project participants by providing
16 meaningful work experiences and training and educational opportunities for ~~corps~~
17 enrollees those participants.

18 (d) *Human services.* Promoting the social well-being of children, the elderly,
19 persons with disabilities, and persons with low incomes through the implementation
20 of human services projects ~~that include human services activities~~.

21 ~~SECTION 45.~~ 106.215 (2) (e) of the statutes is created to read:

22 106.215 (2) (e) *Wages.* Providing project participants with a wage that is not
23 less than the federal minimum wage or the applicable state minimum wage
24 established under ch. 104, whichever is greater.

25 ~~SECTION 46.~~ 106.215 (3) of the statutes is repealed.

1 ~~SECTION 47.~~ 106.215 (3m) of the statutes is repealed.

2 ~~SECTION 48.~~ 106.215 (4) of the statutes is repealed.

3 ~~SECTION 49.~~ 106.215 (5) of the statutes is repealed.

4 ~~SECTION 50.~~ 106.215 (6) of the statutes is repealed.

5 ~~SECTION 51.~~ 106.215 (7) (title) of the statutes is repealed.

6 ~~SECTION 52.~~ 106.215 (7) (a) of the statutes is repealed.

7 ~~SECTION 53.~~ 106.215 (7) (am) of the statutes is repealed.

8 ~~SECTION 54.~~ 106.215 (7) (b) of the statutes is repealed.

9 ~~SECTION 55.~~ 106.215 (7) (c) of the statutes is renumbered 106.215 (1m) and
10 amended to read:

11 106.215 (1m) ~~CONSERVATION FUND APPROPRIATION~~ YOUTH EMPLOYMENT PROJECT
12 GRANTS. Notwithstanding par. (a), moneys Moneys appropriated under s. 20.445 (6)
13 (1) (u) that are not derived from the forestation state tax under s. 70.58 may be
14 utilized for any youth employment project approved by the board department
15 regardless of whether the project consists in whole or in part of conservation
16 activities. From those moneys, the department shall provide grants to
17 community-based nonprofit organizations, as defined in s. 108.02 (19), for the
18 provision of youth employment projects that are designed to meet the objectives
19 specified in sub. (2) (a), (c), and (e) and one or more of the objectives specified in sub.
20 (2) (b) and (d).

21 ~~SECTION 56.~~ 106.215 (8) of the statutes is repealed.

22 ~~SECTION 57.~~ 106.215 (8g) of the statutes is repealed.

23 ~~SECTION 58.~~ 106.215 (8m) of the statutes is repealed.

24 ~~SECTION 59.~~ 106.215 (9) of the statutes is repealed.

25 ~~SECTION 60.~~ 106.215 (10) (title) of the statutes is repealed.

1 ~~SECTION 61.~~ 106.215 (10) (a) of the statutes is repealed.

2 ~~SECTION 62.~~ 106.215 (10) (b) of the statutes is repealed.

3 ~~SECTION 63.~~ 106.215 (10) (c) of the statutes is repealed.

4 ~~SECTION 64.~~ 106.215 (10) (e) of the statutes is repealed.

5 ~~SECTION 65.~~ 106.215 (10) (f) of the statutes is repealed.

6 ~~SECTION 66.~~ 106.215 (10) (fm) of the statutes is repealed.

7 ~~SECTION 67.~~ 106.215 (10) (g) (title) and 1. of the statutes are repealed.

8 ~~SECTION 68.~~ 106.215 (10) (g) 1m. of the statutes is repealed.

9 ~~SECTION 69.~~ 106.215 (10) (g) 2. of the statutes is repealed.

10 ~~SECTION 70.~~ 106.215 (10) (g) 2m. of the statutes is repealed.

11 ~~SECTION 71.~~ 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and
12 amended to read:

13 **106.217 Wisconsin conservation corps education vouchers.** The An
14 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
15 after the date of issuance for the payment of tuition and required program activity
16 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
17 the voucher. The board department shall authorize payment to the institution of face
18 value of the voucher upon presentment.

19 ~~SECTION 72.~~ 106.215 (10) (g) 4. of the statutes is repealed.

20 ~~SECTION 73.~~ 106.215 (10) (h) of the statutes is repealed.

21 ~~SECTION 74.~~ 106.215 (11) of the statutes is repealed.

22 ~~SECTION 75.~~ 106.215 (12) of the statutes is repealed.

23 ~~SECTION 76.~~ 106.215 (13) of the statutes is repealed.

24 ~~SECTION 77.~~ 106.217 of the statutes, as affected by 2003 Wisconsin Act (this
25 act), is repealed.

1 ~~SECTION 78.~~ 111.335 (1) (cv) of the statutes is amended to read:

2 111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment
3 discrimination because of conviction record to refuse to employ in a position in the
4 classified service, or in a position described in s. 230.08 (2) (k), ~~or as a corps enrollee~~
5 ~~with the Wisconsin conservation corps under s. 106.215 (1) (e)~~ a person who has been
6 convicted under 50 USC, Appendix, section 462 for refusing to register with the
7 selective service system and who has not been pardoned.

8 ~~SECTION 79.~~ 230.143 (3) of the statutes is repealed.

9 ~~SECTION 80.~~ 281.65 (10) of the statutes is repealed.

10 ~~SECTION 81.~~ 303.066 of the statutes is repealed.

11 ~~SECTION 82.~~ 977.01 of the statutes is renumbered 977.01 (intro.) and amended
12 to read:

13 **977.01 Definitions.** (intro.) In this chapter, unless the context requires
14 otherwise, “board”:

15 (1) “Board” means the public defender board.

16 ~~SECTION 83.~~ 977.06 (1) (a) of the statutes is amended to read:

17 977.06 (1) (a) Verify the information necessary to determine indigency under
18 s. 977.07 (2). The information provided by a person seeking assigned counsel that
19 is subject to verification shall include any social security numbers provided on an
20 application under sub. (1m), income records, value of assets, eligibility for public
21 assistance, as defined in s. 106.215 (1) (fm), and claims of expenses.

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

23 (1) **ELIMINATION OF WISCONSIN CONSERVATION CORPS.**

1 (a) *Contracts.* All contracts entered into by the Wisconsin conservation corps
2 board in effect on the effective date of this paragraph remain in effect and are
3 transferred to the department of workforce development.

4 (b) *Rules and orders.* All rules promulgated by the Wisconsin conservation
5 corps that are in effect on the effective date of this paragraph remain in effect until
6 their specified expiration date or until amended or repealed by the department of
7 workforce development. All orders issued by the Wisconsin conservation corps that
8 are in effect on the effective date of this paragraph remain in effect until their
9 specified expiration date or until modified or rescinded by the department of
10 workforce development.

11 (c) *Pending matters.* Any matter pending with the Wisconsin conservation
12 corps on the effective date of this paragraph is transferred to the department of
13 workforce development and all materials submitted to or actions taken by the
14 Wisconsin conservation corps with respect to the pending matter are considered as
15 having been submitted to or taken by the department of workforce development.

16 (d) *Employee transfer.* The secretary of administration shall designate one or
17 more incumbent employees of the department of commerce to be transferred to the
18 department of workforce development to administer the youth employment project
19 grants under section 106.215 of the statutes, as affected by this act. If either
20 department is dissatisfied with the secretary's determination, that department may
21 bring the matter to the cochairpersons of the joint committee on finance for
22 consideration by the committee, and the committee shall affirm or modify the
23 decision.

24 (e) *Employee status.* Employees transferred under paragraph (d) shall have the
25 same rights and status under subchapter V of chapter 111 and chapter 230 of the

1 statutes in the department of workforce development that they enjoyed in the
2 department of commerce immediately before the transfer. Notwithstanding section
3 230.28 (4) of the statutes, no employee so transferred who has attained permanent
4 status in class is required to serve a probationary period.

5 **SECTION 9459. Effective dates; workforce development.**

6 (1) ELIMINATION OF WISCONSIN CONSERVATION CORPS. The amendment of section
7 20.445 (1) (u) of the statutes and the repeal of section 106.217 of the statutes take
8 effect on the first day of the 48th month beginning after publication.

9 (END)

DNOTE

Date

1712/4dn

Jsh:

This draft reconciles LRB-1712/3 and LRB-1688/1.

Both LRB-1712 and LRB-1688 should continue to appear in the
compiled bill.

GMM

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

LRB-1712/4dn
GMM:kjf:ch

February 5, 2003

This draft reconciles LRB-1712/3 and LRB-1688/1. Both LRB-1712/3 and LRB-1688/1 should continue to appear in the compiled bill.

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

Malaise, Gordon

From: Hummert, Joshua
Sent: Friday, February 07, 2003 11:27 AM
To: Malaise, Gordon
Subject: LRB draft 03-1712/3

Gordon, if possible, please change s. 106.215(2)(a) so that the age range of participants goes from the age 14 up to and including the age 21.

Thanks again,
Josh



State of Wisconsin
2003 - 2004 LEGISLATURE

(pp. 1+8)

LRB-1712/4

GMM:kjf:ch

5
RNR

DOA:.....Hummert - BB0425, Transfer Wisconsin conservation corps administration to DWD

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Don + Gen

22

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

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Under current law, the Wisconsin Conservation Corps (WCC) employs young adults to work on conservation and human services activities. The WCC Program is administered by the WCC Board, which may delegate its administrative responsibilities to the executive secretary of the board. This bill eliminates the WCC, the WCC Board, and the position of executive secretary of the WCC Board and, instead, requires DWD to provide grants to community-based nonprofit organizations for the provision of youth employment projects that provide employment for youths 14 years of age or over, but less than 21 years of age, in all regions of this state; that encourage and develop employment and life skills, discipline, and cooperation in project participants by providing meaningful work experiences and training and educational opportunities for those participants; that pay not less than the minimum wage; and that either conserve, develop, enhance, or maintain the natural resources of this state or promote the social well-being of children, the elderly, persons with disabilities, and persons with low incomes, or both.

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:

1 **SECTION 1.** 15.105 (4) of the statutes is amended to read:

2 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
3 is attached to the department of administration under s. 15.03. The public records
4 board shall consist of the governor, the director of the historical society, the attorney
5 general, the state auditor, and the director of the legislative council staff, or their
6 designated representatives, and a representative of the small business community,
7 a representative of ~~a local unit of government~~ the governing body of a municipality,
8 as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

9 **SECTION 2.** 15.225 (2) of the statutes is repealed.

10 **SECTION 3.** 20.370 (7) (fv) 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.

11 **SECTION 4.** 20.445 (1) (u) of the statutes, as affected by 2003 Wisconsin Act ...
12 (this act), is amended to read:

13 20.445 (1) (u) ~~Education vouchers and youth~~ Youth employment grants;
14 conservation fund. Biennially, from the conservation fund, the amounts in the
15 schedule for the payment of ~~Wisconsin conservation corps education vouchers under~~
16 ~~s. 106.217~~ and youth employment grants under s. 106.215 (1m).

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

17 **SECTION 5.** 20.445 (6) (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.

18 **SECTION 6.** 20.445 (6) (j) 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.

1 SECTION 7. 20.445 (6) (ja) 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 8. 20.445 (6) (jb) 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 9. 20.445 (6) (k) 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 10. 20.445 (6) (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.

5 SECTION 11. 20.445 (6) (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.

6 SECTION 12. 20.445 (6) (n) 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 13. 20.445 (6) (u) of the statutes is renumbered 20.445 (1) (u) and
8 amended to read:

9 20.445 (1) (u) ~~General enrollee operations~~ Education vouchers and youth
10 employment grants; conservation fund. Biennially, from the conservation fund, the
11 amounts in the schedule for the payment of Wisconsin conservation corps enrollee
12 ~~compensation and for the payment of other Wisconsin conservation corps costs for~~
13 ~~activities authorized~~ education vouchers under s. 106.217 and youth employment
14 grants under s. 106.215 (7) (a) or (e) ~~if those costs are not paid by project sponsors.~~
15 ~~Corps enrollee compensation includes the cost of salaries, benefits, incentive~~
16 ~~payments and vouchers~~ (1m).

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

1 **SECTION 14.** 20.445 (6) (x) 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 15.** 20.445 (6) (y) of the statutes is renumbered 20.445 (1) (y) and
3 amended to read:

4 20.445 (1) (y) *Administrative Youth employment administrative support;*
5 *conservation fund.* From the conservation fund, the amounts in the schedule for the
6 payment of administrative expenses related to the ~~Wisconsin conservation corps~~
7 ~~program~~ payment of youth employment grants under s. 106.215 (1m).

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

8 **SECTION 16.** 20.923 (4) (a) 6. of the statutes is repealed.

9 **SECTION 17.** 23.09 (17m) (j) of the statutes is repealed.

10 **SECTION 18.** 23.092 (7) of the statutes is repealed.

11 **SECTION 19.** 30.275 (5) of the statutes is repealed.

12 **SECTION 20.** 30.277 (7) of the statutes is repealed.

13 **SECTION 21.** 30.92 (7) of the statutes is repealed.

14 **SECTION 22.** 30.93 (3) (b) of the statutes is amended to read:

15 30.93 (3) (b) *Authority to contract; ~~Wisconsin conservation corps.~~* The
16 commission may contract with public agencies, public or private organizations,
17 businesses, or individuals to carry out management or operation responsibilities for
18 the Fox River navigational system. The commission may contract with the
19 department of health and family services or other state agency to carry out
20 management or operation responsibilities for the Fox River navigational system.
21 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~

1 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
2 ~~management or operation responsibilities for the Fox River navigational system.~~

3 **SECTION 23.** 33.445 (4) of the statutes is repealed.

4 **SECTION 24.** 33.56 (4) of the statutes is repealed.

5 **SECTION 25.** 40.02 (25) (b) 2m. of the statutes is repealed.

6 **SECTION 26.** 40.05 (4) (a) 2. of the statutes is amended to read:

7 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
8 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
9 contributions toward the health insurance premium of the insured employee
10 beginning on the date on which the employee becomes insured. For an insured
11 employee who is currently employed but who is not an eligible employee under s.
12 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
13 contributions toward the health insurance premium of the insured employee
14 beginning on the first day of the 7th month beginning after the date on which the
15 employee begins employment with the state, not including any leave of absence.

16 **SECTION 27.** 84.04 (3) of the statutes is repealed.

17 **SECTION 28.** 84.07 (5) of the statutes is repealed.

18 **SECTION 29.** 85.09 (2) (a) of the statutes is amended to read:

19 85.09 (2) (a) The department of transportation shall have the first right to
20 acquire, for present or future transportational or recreational purposes, any
21 property used in operating a railroad or railway, including land and rails, ties,
22 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
23 has been abandoned. The department of transportation may, in connection with
24 abandoned rail property, assign this right to a state agency, the board of regents of
25 the University of Wisconsin System, any county or municipality, or any transit

1 commission. Acquisition by the department of transportation may be by gift,
2 purchase, or condemnation in accordance with the procedure under s. 32.05. In
3 addition to its property management authority under s. 85.15, the department of
4 transportation may lease and collect rents and fees for any use of rail property
5 pending discharge of the department's duty to convey property that is not necessary
6 for a public purpose. ~~In exercising its property management authority, the~~
7 ~~department of transportation, to the greatest extent practicable, shall encourage and~~
8 ~~utilize the Wisconsin conservation corps for appropriate projects.~~ No person owning
9 abandoned rail property, including any person to whom ownership reverts upon
10 abandonment, may convey or dispose of any abandoned rail property without first
11 obtaining a written release from the department of transportation indicating that
12 the first right of acquisition under this subsection will not be exercised or assigned.
13 No railroad or railway may convey any rail property prior to abandonment if the rail
14 property is part of a rail line shown on the railroad's system map as in the process
15 of abandonment, expected to be abandoned, or under study for possible
16 abandonment unless the conveyance or disposal is for the purpose of providing
17 continued rail service under another company or agency. Any conveyance made
18 without obtaining such release is void. The first right of acquisition of the
19 department of transportation under this subsection does not apply to any rail
20 property declared by the department to be abandoned before January 1, 1977. The
21 department of transportation may acquire any abandoned rail property under this
22 section regardless of the date of its abandonment.

23 **SECTION 30.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

24 91.19 (6s) (a) (intro.) The department may release from a farmland
25 preservation agreement any land acquired or to be acquired by ~~a local unit of~~

1 ~~government the governing body of a municipality~~, as defined in s. 106.215 (1) (e)
2 ~~281.59 (1) (c)~~, for public improvements or structures, including highway
3 improvements, if all of the following occur:

4 **SECTION 31.** 106.215 (title) of the statutes is amended to read:

5 **106.215** (title) ~~Wisconsin conservation corps program~~ **Youth**
6 **employment projects.**

7 **SECTION 32.** 106.215 (1) (intro.) of the statutes is repealed.

8 **SECTION 33.** 106.215 (1) (a) of the statutes is repealed.

9 **SECTION 34.** 106.215 (1) (b) of the statutes is repealed.

10 **SECTION 35.** 106.215 (1) (c) of the statutes is repealed.

11 **SECTION 36.** 106.215 (1) (cg) of the statutes is repealed.

12 **SECTION 37.** 106.215 (1) (cm) of the statutes is repealed.

13 **SECTION 38.** 106.215 (1) (d) of the statutes is repealed.

14 **SECTION 39.** 106.215 (1) (e) of the statutes is repealed.

15 **SECTION 40.** 106.215 (1) (f) of the statutes is repealed.

16 **SECTION 41.** 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
17 amended to read:

18 **977.01 (2)** “Public assistance” means relief provided by counties under s. 59.53
19 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
20 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income
21 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
22 food stamp program under 7 USC 2011 to 2029.

23 **SECTION 42.** 106.215 (1) (g) of the statutes is repealed.

24 **SECTION 43.** 106.215 (2) of the statutes is amended to read:

22

1 106.215 (2) OBJECTIVES. ~~The board~~ department shall develop guidelines for the
2 ~~Wisconsin conservation corps program~~ youth employment projects funded under
3 sub. (1m) designed to promote ~~the~~ all of the following objectives of:

4 (a) *Employment of young adults youth.* Providing employment for young men
5 and women youth 14 years of age or over, but under 24 years of age, in all regions of
6 the state.

7 (b) *Conservation.* Conserving, developing, enhancing, or maintaining the
8 natural resources of this state through the implementation of projects ~~which~~ that
9 have a long-term beneficial impact on the environment.

10 (c) *Personal development.* Encouraging and developing work employment and
11 life skills, discipline, and cooperation, in project participants by providing
12 meaningful work experiences and training and educational opportunities for ~~corps~~
13 enrollees those participants.

14 (d) *Human services.* Promoting the social well-being of children, the elderly,
15 persons with disabilities, and persons with low incomes through the implementation
16 of human services projects ~~that include human services activities.~~

17 SECTION 44. 106.215 (2) (e) of the statutes is created to read:

18 106.215 (2) (e) *Wages.* Providing project participants with a wage that is not
19 less than the federal minimum wage or the applicable state minimum wage
20 established under ch. 104, whichever is greater.

21 SECTION 45. 106.215 (3) of the statutes is repealed.

22 SECTION 46. 106.215 (3m) of the statutes is repealed.

23 SECTION 47. 106.215 (4) of the statutes is repealed.

24 SECTION 48. 106.215 (5) of the statutes is repealed.

25 SECTION 49. 106.215 (6) of the statutes is repealed.

1 **SECTION 50.** 106.215 (7) (title) of the statutes is repealed.

2 **SECTION 51.** 106.215 (7) (a) of the statutes is repealed.

3 **SECTION 52.** 106.215 (7) (am) of the statutes is repealed.

4 **SECTION 53.** 106.215 (7) (b) of the statutes is repealed.

5 **SECTION 54.** 106.215 (7) (c) of the statutes is renumbered 106.215 (1m) and
6 amended to read:

7 106.215 (1m) ~~CONSERVATION FUND APPROPRIATION~~ YOUTH EMPLOYMENT PROJECT
8 GRANTS. Notwithstanding par. (a), moneys Moneys appropriated under s. 20.445 (6)
9 (1) (u) that are not derived from the forestation state tax under s. 70.58 may be
10 utilized for any youth employment project approved by the board department
11 regardless of whether the project consists in whole or in part of conservation
12 activities. From those moneys, the department shall provide grants to
13 community-based nonprofit organizations, as defined in s. 108.02 (19), for the
14 provision of youth employment projects that are designed to meet the objectives
15 specified in sub. (2) (a), (c), and (e) and one or more of the objectives specified in sub.
16 (2) (b) and (d).

17 **SECTION 55.** 106.215 (8) of the statutes is repealed.

18 **SECTION 56.** 106.215 (8g) of the statutes is repealed.

19 **SECTION 57.** 106.215 (8m) of the statutes is repealed.

20 **SECTION 58.** 106.215 (9) of the statutes is repealed.

21 **SECTION 59.** 106.215 (10) (title) of the statutes is repealed.

22 **SECTION 60.** 106.215 (10) (a) of the statutes is repealed.

23 **SECTION 61.** 106.215 (10) (b) of the statutes is repealed.

24 **SECTION 62.** 106.215 (10) (c) of the statutes is repealed.

25 **SECTION 63.** 106.215 (10) (e) of the statutes is repealed.

1 **SECTION 64.** 106.215 (10) (f) of the statutes is repealed.

2 **SECTION 65.** 106.215 (10) (fm) of the statutes is repealed.

3 **SECTION 66.** 106.215 (10) (g) (title) and 1. of the statutes are repealed.

4 **SECTION 67.** 106.215 (10) (g) 1m. of the statutes is repealed.

5 **SECTION 68.** 106.215 (10) (g) 2. of the statutes is repealed.

6 **SECTION 69.** 106.215 (10) (g) 2m. of the statutes is repealed.

7 **SECTION 70.** 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and
8 amended to read:

9 **106.217 Wisconsin conservation corps education vouchers.** The An
10 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
11 after the date of issuance for the payment of tuition and required program activity
12 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
13 the voucher. ~~The board~~ department shall authorize payment to the institution of face
14 value of the voucher upon presentment.

15 **SECTION 71.** 106.215 (10) (g) 4. of the statutes is repealed.

16 **SECTION 72.** 106.215 (10) (h) of the statutes is repealed.

17 **SECTION 73.** 106.215 (11) of the statutes is repealed.

18 **SECTION 74.** 106.215 (12) of the statutes is repealed.

19 **SECTION 75.** 106.215 (13) of the statutes is repealed.

20 **SECTION 76.** 106.217 of the statutes, as affected by 2003 Wisconsin Act ... (this
21 act), is repealed.

22 **SECTION 77.** 111.335 (1) (cv) of the statutes is amended to read:

23 **111.335 (1) (cv)** Notwithstanding s. 111.322, it is not employment
24 discrimination because of conviction record to refuse to employ in a position in the
25 classified service, or in a position described in s. 230.08 (2) (k), ~~or as a corps enrollee~~

1 with the Wisconsin conservation corps under ~~s. 106.215 (1) (e)~~ a person who has been
2 convicted under 50 USC, Appendix, section 462 for refusing to register with the
3 selective service system and who has not been pardoned.

4 **SECTION 78.** 230.143 (3) of the statutes is repealed.

5 **SECTION 79.** 281.65 (10) of the statutes is repealed.

6 **SECTION 80.** 303.066 of the statutes is repealed.

7 **SECTION 81.** 977.01 of the statutes is renumbered 977.01 (intro.) and amended
8 to read:

9 **977.01 Definitions.** (intro.) In this chapter, unless the context requires
10 otherwise, ~~“board”~~:

11 **(1) “Board”** means the public defender board.

12 **SECTION 82.** 977.06 (1) (a) of the statutes is amended to read:

13 977.06 (1) (a) Verify the information necessary to determine indigency under
14 s. 977.07 (2). The information provided by a person seeking assigned counsel that
15 is subject to verification shall include any social security numbers provided on an
16 application under sub. (1m), income records, value of assets, eligibility for public
17 assistance, ~~as defined in s. 106.215 (1) (fm)~~, and claims of expenses.

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

19 **(1) ELIMINATION OF WISCONSIN CONSERVATION CORPS.**

20 (a) *Contracts.* All contracts entered into by the Wisconsin conservation corps
21 board in effect on the effective date of this paragraph remain in effect and are
22 transferred to the department of workforce development.

23 (b) *Rules and orders.* All rules promulgated by the Wisconsin conservation
24 corps that are in effect on the effective date of this paragraph remain in effect until
25 their specified expiration date or until amended or repealed by the department of

1 workforce development. All orders issued by the Wisconsin conservation corps that
2 are in effect on the effective date of this paragraph remain in effect until their
3 specified expiration date or until modified or rescinded by the department of
4 workforce development.

5 (c) *Pending matters.* Any matter pending with the Wisconsin conservation
6 corps on the effective date of this paragraph is transferred to the department of
7 workforce development and all materials submitted to or actions taken by the
8 Wisconsin conservation corps with respect to the pending matter are considered as
9 having been submitted to or taken by the department of workforce development.

10 (d) *Employee transfer.* The secretary of administration shall designate one or
11 more incumbent employees of the department of commerce to be transferred to the
12 department of workforce development to administer the youth employment project
13 grants under section 106.215 of the statutes, as affected by this act. If either
14 department is dissatisfied with the secretary's determination, that department may
15 bring the matter to the cochairpersons of the joint committee on finance for
16 consideration by the committee, and the committee shall affirm or modify the
17 decision.

18 (e) *Employee status.* Employees transferred under paragraph (d) shall have the
19 same rights and status under subchapter V of chapter 111 and chapter 230 of the
20 statutes in the department of workforce development that they enjoyed in the
21 department of commerce immediately before the transfer. Notwithstanding section
22 230.28 (4) of the statutes, no employee so transferred who has attained permanent
23 status in class is required to serve a probationary period.

24 **SECTION 9459. Effective dates; workforce development.**



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1712/5

GMM:kjf:jf

DOA:.....Hummert - BB0425, Transfer Wisconsin conservation corps
administration to DWD

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 Wisconsin Conservation Corps (WCC) employs young adults to work on conservation and human services activities. The WCC Program is administered by the WCC Board, which may delegate its administrative responsibilities to the executive secretary of the board. This bill eliminates the WCC, the WCC Board, and the position of executive secretary of the WCC Board and, instead, requires DWD to provide grants to community-based nonprofit organizations for the provision of youth employment projects that provide employment for youths 14 years of age or over, but less than 22 years of age, in all regions of this state; that encourage and develop employment and life skills, discipline, and cooperation in project participants by providing meaningful work experiences and training and educational opportunities for those participants; that pay not less than the minimum wage; and that either conserve, develop, enhance, or maintain the natural resources of this state or promote the social well-being of children, the elderly, persons with disabilities, and persons with low incomes, or both.

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:

1 **SECTION 1.** 15.105 (4) of the statutes is amended to read:

2 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
3 is attached to the department of administration under s. 15.03. The public records
4 board shall consist of the governor, the director of the historical society, the attorney
5 general, the state auditor, and the director of the legislative council staff, or their
6 designated representatives, and a representative of the small business community,
7 a representative of ~~a local unit of government~~ the governing body of a municipality,
8 as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

9 **SECTION 2.** 15.225 (2) of the statutes is repealed.

10 **SECTION 3.** 20.370 (7) (fv) 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.

11 **SECTION 4.** 20.445 (1) (u) of the statutes, as affected by 2003 Wisconsin Act ...
12 (this act), is amended to read:

13 20.445 (1) (u) ~~Education vouchers and youth~~ Youth employment grants;
14 conservation fund. Biennially, from the conservation fund, the amounts in the
15 schedule for the payment of ~~Wisconsin conservation corps education vouchers under~~
16 ~~s. 106.217~~ and youth employment grants under s. 106.215 (1m).

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

17 **SECTION 5.** 20.445 (6) (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.

18 **SECTION 6.** 20.445 (6) (j) 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.

1 **SECTION 7.** 20.445 (6) (ja) 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 8.** 20.445 (6) (jb) 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 9.** 20.445 (6) (k) 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 10.** 20.445 (6) (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.

5 **SECTION 11.** 20.445 (6) (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.

6 **SECTION 12.** 20.445 (6) (n) 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 13.** 20.445 (6) (u) of the statutes is renumbered 20.445 (1) (u) and
8 amended to read:

9 20.445 (1) (u) ~~General enrollee operations~~ Education vouchers and youth
10 employment grants; conservation fund. Biennially, from the conservation fund, the
11 amounts in the schedule for the payment of Wisconsin conservation corps enrollee
12 ~~compensation and for the payment of other Wisconsin conservation corps costs for~~
13 ~~activities authorized~~ education vouchers under s. 106.217 and youth employment
14 grants under s. 106.215 (7) (a) or (c) ~~if those costs are not paid by project sponsors.~~
15 ~~Corps enrollee compensation includes the cost of salaries, benefits, incentive~~
16 ~~payments and vouchers~~ (1m).

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

1 **SECTION 14.** 20.445 (6) (x) 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 15.** 20.445 (6) (y) of the statutes is renumbered 20.445 (1) (y) and
3 amended to read:

4 20.445 (1) (y) *Administrative Youth employment administrative support;*
5 *conservation fund.* From the conservation fund, the amounts in the schedule for the
6 payment of administrative expenses related to the ~~Wisconsin conservation corps~~
7 ~~program~~ payment of youth employment grants under s. 106.215 (1m).

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

8 **SECTION 16.** 20.923 (4) (a) 6. of the statutes is repealed.

9 **SECTION 17.** 23.09 (17m) (j) of the statutes is repealed.

10 **SECTION 18.** 23.092 (7) of the statutes is repealed.

11 **SECTION 19.** 30.275 (5) of the statutes is repealed.

12 **SECTION 20.** 30.277 (7) of the statutes is repealed.

13 **SECTION 21.** 30.92 (7) of the statutes is repealed.

14 **SECTION 22.** 30.93 (3) (b) of the statutes is amended to read:

15 30.93 (3) (b) *Authority to contract; ~~Wisconsin conservation corps.~~* The
16 commission may contract with public agencies, public or private organizations,
17 businesses, or individuals to carry out management or operation responsibilities for
18 the Fox River navigational system. The commission may contract with the
19 department of health and family services or other state agency to carry out
20 management or operation responsibilities for the Fox River navigational system.
21 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~

1 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
2 ~~management or operation responsibilities for the Fox River navigational system.~~

3 **SECTION 23.** 33.445 (4) of the statutes is repealed.

4 **SECTION 24.** 33.56 (4) of the statutes is repealed.

5 **SECTION 25.** 40.02 (25) (b) 2m. of the statutes is repealed.

6 **SECTION 26.** 40.05 (4) (a) 2. of the statutes is amended to read:

7 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
8 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
9 contributions toward the health insurance premium of the insured employee
10 beginning on the date on which the employee becomes insured. For an insured
11 employee who is currently employed but who is not an eligible employee under s.
12 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
13 contributions toward the health insurance premium of the insured employee
14 beginning on the first day of the 7th month beginning after the date on which the
15 employee begins employment with the state, not including any leave of absence.

16 **SECTION 27.** 84.04 (3) of the statutes is repealed.

17 **SECTION 28.** 84.07 (5) of the statutes is repealed.

18 **SECTION 29.** 85.09 (2) (a) of the statutes is amended to read:

19 85.09 (2) (a) The department of transportation shall have the first right to
20 acquire, for present or future transportational or recreational purposes, any
21 property used in operating a railroad or railway, including land and rails, ties,
22 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
23 has been abandoned. The department of transportation may, in connection with
24 abandoned rail property, assign this right to a state agency, the board of regents of
25 the University of Wisconsin System, any county or municipality, or any transit

1 commission. Acquisition by the department of transportation may be by gift,
 2 purchase, or condemnation in accordance with the procedure under s. 32.05. In
 3 addition to its property management authority under s. 85.15, the department of
 4 transportation may lease and collect rents and fees for any use of rail property
 5 pending discharge of the department's duty to convey property that is not necessary
 6 for a public purpose. ~~In exercising its property management authority, the~~
 7 ~~department of transportation, to the greatest extent practicable, shall encourage and~~
 8 ~~utilize the Wisconsin conservation corps for appropriate projects.~~ No person owning
 9 abandoned rail property, including any person to whom ownership reverts upon
 10 abandonment, may convey or dispose of any abandoned rail property without first
 11 obtaining a written release from the department of transportation indicating that
 12 the first right of acquisition under this subsection will not be exercised or assigned.
 13 No railroad or railway may convey any rail property prior to abandonment if the rail
 14 property is part of a rail line shown on the railroad's system map as in the process
 15 of abandonment, expected to be abandoned, or under study for possible
 16 abandonment unless the conveyance or disposal is for the purpose of providing
 17 continued rail service under another company or agency. Any conveyance made
 18 without obtaining such release is void. The first right of acquisition of the
 19 department of transportation under this subsection does not apply to any rail
 20 property declared by the department to be abandoned before January 1, 1977. The
 21 department of transportation may acquire any abandoned rail property under this
 22 section regardless of the date of its abandonment.

23 **SECTION 30.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

24 91.19 (6s) (a) (intro.) The department may release from a farmland
 25 preservation agreement any land acquired or to be acquired by ~~a local unit of~~

1 ~~government~~ the governing body of a municipality, as defined in s. 106.215 (1) (e)
2 281.59 (1) (c), for public improvements or structures, including highway
3 improvements, if all of the following occur:

4 SECTION 31. 106.215 (title) of the statutes is amended to read:

5 106.215 (title) ~~Wisconsin conservation corps program~~ Youth
6 employment projects.

7 SECTION 32. 106.215 (1) (intro.) of the statutes is repealed.

8 SECTION 33. 106.215 (1) (a) of the statutes is repealed.

9 SECTION 34. 106.215 (1) (b) of the statutes is repealed.

10 SECTION 35. 106.215 (1) (c) of the statutes is repealed.

11 SECTION 36. 106.215 (1) (cg) of the statutes is repealed.

12 SECTION 37. 106.215 (1) (cm) of the statutes is repealed.

13 SECTION 38. 106.215 (1) (d) of the statutes is repealed.

14 SECTION 39. 106.215 (1) (e) of the statutes is repealed.

15 SECTION 40. 106.215 (1) (f) of the statutes is repealed.

16 SECTION 41. 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
17 amended to read:

18 977.01 (2) “Public assistance” means relief provided by counties under s. 59.53
19 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
20 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income
21 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
22 food stamp program under 7 USC 2011 to 2029.

23 SECTION 42. 106.215 (1) (g) of the statutes is repealed.

24 SECTION 43. 106.215 (2) of the statutes is amended to read:

1 106.215 (2) OBJECTIVES. ~~The board~~ department shall develop guidelines for the
2 ~~Wisconsin conservation corps program~~ youth employment projects funded under
3 sub. (1m) designed to promote ~~the~~ all of the following objectives of:

4 (a) *Employment of young adults youth*. Providing employment for young men
5 ~~and women youth 14 years of age or over, but under 22 years of age,~~ in all regions of
6 the state.

7 (b) *Conservation*. Conserving, developing, enhancing, or maintaining the
8 natural resources of this state through the implementation of projects ~~which~~ that
9 have a long-term beneficial impact on the environment.

10 (c) *Personal development*. Encouraging and developing work employment and
11 life skills, discipline, and cooperation, in project participants by providing
12 meaningful work experiences and training and educational opportunities for ~~corps~~
13 ~~enrollees~~ those participants.

14 (d) *Human services*. Promoting the social well-being of children, the elderly,
15 persons with disabilities, and persons with low incomes through the implementation
16 of human services projects ~~that include human services activities~~.

17 **SECTION 44.** 106.215 (2) (e) of the statutes is created to read:

18 106.215 (2) (e) *Wages*. Providing project participants with a wage that is not
19 less than the federal minimum wage or the applicable state minimum wage
20 established under ch. 104, whichever is greater.

21 **SECTION 45.** 106.215 (3) of the statutes is repealed.

22 **SECTION 46.** 106.215 (3m) of the statutes is repealed.

23 **SECTION 47.** 106.215 (4) of the statutes is repealed.

24 **SECTION 48.** 106.215 (5) of the statutes is repealed.

25 **SECTION 49.** 106.215 (6) of the statutes is repealed.

1 **SECTION 50.** 106.215 (7) (title) of the statutes is repealed.

2 **SECTION 51.** 106.215 (7) (a) of the statutes is repealed.

3 **SECTION 52.** 106.215 (7) (am) of the statutes is repealed.

4 **SECTION 53.** 106.215 (7) (b) of the statutes is repealed.

5 **SECTION 54.** 106.215 (7) (c) of the statutes is renumbered 106.215 (1m) and
6 amended to read:

7 106.215 (1m) ~~CONSERVATION FUND APPROPRIATION~~ YOUTH EMPLOYMENT PROJECT
8 GRANTS. Notwithstanding par. (a), moneys Moneys appropriated under s. 20.445 (6)
9 (1) (u) that are not derived from the forestation state tax under s. 70.58 may be
10 utilized for any youth employment project approved by the board department
11 regardless of whether the project consists in whole or in part of conservation
12 activities. From those moneys, the department shall provide grants to
13 community-based nonprofit organizations, as defined in s. 108.02 (19), for the
14 provision of youth employment projects that are designed to meet the objectives
15 specified in sub. (2) (a), (c), and (e) and one or more of the objectives specified in sub.
16 (2) (b) and (d).

17 **SECTION 55.** 106.215 (8) of the statutes is repealed.

18 **SECTION 56.** 106.215 (8g) of the statutes is repealed.

19 **SECTION 57.** 106.215 (8m) of the statutes is repealed.

20 **SECTION 58.** 106.215 (9) of the statutes is repealed.

21 **SECTION 59.** 106.215 (10) (title) of the statutes is repealed.

22 **SECTION 60.** 106.215 (10) (a) of the statutes is repealed.

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24 **SECTION 62.** 106.215 (10) (c) of the statutes is repealed.

25 **SECTION 63.** 106.215 (10) (e) of the statutes is repealed.

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2 **SECTION 65.** 106.215 (10) (fm) of the statutes is repealed.

3 **SECTION 66.** 106.215 (10) (g) (title) and 1. of the statutes are repealed.

4 **SECTION 67.** 106.215 (10) (g) 1m. of the statutes is repealed.

5 **SECTION 68.** 106.215 (10) (g) 2. of the statutes is repealed.

6 **SECTION 69.** 106.215 (10) (g) 2m. of the statutes is repealed.

7 **SECTION 70.** 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and
8 amended to read:

9 **106.217 Wisconsin conservation corps education vouchers.** The An
10 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
11 after the date of issuance for the payment of tuition and required program activity
12 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
13 the voucher. ~~The board~~ department shall authorize payment to the institution of face
14 value of the voucher upon presentment.

15 **SECTION 71.** 106.215 (10) (g) 4. of the statutes is repealed.

16 **SECTION 72.** 106.215 (10) (h) of the statutes is repealed.

17 **SECTION 73.** 106.215 (11) of the statutes is repealed.

18 **SECTION 74.** 106.215 (12) of the statutes is repealed.

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20 **SECTION 76.** 106.217 of the statutes, as affected by 2003 Wisconsin Act (this
21 act), is repealed.

22 **SECTION 77.** 111.335 (1) (cv) of the statutes is amended to read:

23 111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment
24 discrimination because of conviction record to refuse to employ in a position in the
25 classified service, or in a position described in s. 230.08 (2) (k), ~~or as a corps enrollee~~

1 ~~with the Wisconsin conservation corps under s. 106.215 (1) (c)~~ a person who has been
2 convicted under 50 USC, Appendix, section 462 for refusing to register with the
3 selective service system and who has not been pardoned.

4 **SECTION 78.** 230.143 (3) of the statutes is repealed.

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8 to read:

9 **977.01 Definitions.** (intro.) In this chapter, unless the context requires
10 otherwise, ~~“board”~~:

11 **(1) “Board”** means the public defender board.

12 **SECTION 82.** 977.06 (1) (a) of the statutes is amended to read:

13 977.06 (1) (a) Verify the information necessary to determine indigency under
14 s. 977.07 (2). The information provided by a person seeking assigned counsel that
15 is subject to verification shall include any social security numbers provided on an
16 application under sub. (1m), income records, value of assets, eligibility for public
17 assistance, ~~as defined in s. 106.215 (1) (fm)~~, and claims of expenses.

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19 **(1) ELIMINATION OF WISCONSIN CONSERVATION CORPS.**

20 (a) *Contracts.* All contracts entered into by the Wisconsin conservation corps
21 board in effect on the effective date of this paragraph remain in effect and are
22 transferred to the department of workforce development.

23 (b) *Rules and orders.* All rules promulgated by the Wisconsin conservation
24 corps that are in effect on the effective date of this paragraph remain in effect until
25 their specified expiration date or until amended or repealed by the department of

1 workforce development. All orders issued by the Wisconsin conservation corps that
2 are in effect on the effective date of this paragraph remain in effect until their
3 specified expiration date or until modified or rescinded by the department of
4 workforce development.

5 (c) *Pending matters.* Any matter pending with the Wisconsin conservation
6 corps on the effective date of this paragraph is transferred to the department of
7 workforce development and all materials submitted to or actions taken by the
8 Wisconsin conservation corps with respect to the pending matter are considered as
9 having been submitted to or taken by the department of workforce development.

10 (d) *Employee transfer.* The secretary of administration shall designate one or
11 more incumbent employees of the department of commerce to be transferred to the
12 department of workforce development to administer the youth employment project
13 grants under section 106.215 of the statutes, as affected by this act. If either
14 department is dissatisfied with the secretary's determination, that department may
15 bring the matter to the cochairpersons of the joint committee on finance for
16 consideration by the committee, and the committee shall affirm or modify the
17 decision.

18 (e) *Employee status.* Employees transferred under paragraph (d) shall have the
19 same rights and status under subchapter V of chapter 111 and chapter 230 of the
20 statutes in the department of workforce development that they enjoyed in the
21 department of commerce immediately before the transfer. Notwithstanding section
22 230.28 (4) of the statutes, no employee so transferred who has attained permanent
23 status in class is required to serve a probationary period.

24 **SECTION 9459. Effective dates; workforce development.**

