

Committee Name:

Senate Committee – Economic Development, Job Creation and Housing (SC–EDJCH)

Appointments

03hr_SC–EDJCH_Appt_pt00

Committee Hearings

03hr_SC–EDJCH_CH_pt00

Committee Reports

03hr_SC–EDJCH_CR_pt00

Clearinghouse Rules

03hr_SC–EDJCH_CRule_03–

Executive Sessions

03hr_SC–EDJCH_ES_pt00

Hearing Records

03hr_ab0000

03hr_sb0000

Misc.

03hr_SC–EDJCH__Misc__pt01

Record of Committee Proceedings

03hr_SC–EDJCH_RCP_pt00

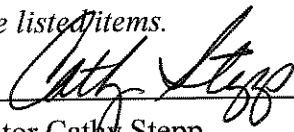
Watts, Maria E.

Of Waukesha, as a member of the Real Estate Board, to serve for the term ending July 1, 2005.

Whittow, George W.

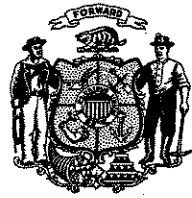
Of Waupaca, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 2006.

An executive session may be held on the above listed items.



Senator Cathy Stepp
Chair

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Chairs Stepp & McCormick,

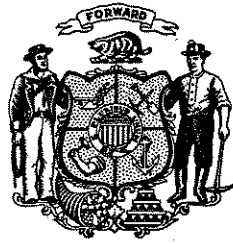
We tried to testify on behalf of the Communications Workers of America today. We showed up early, about 9:35 a.m., to register. I was third! (So indeed the deck was shuffled!)

So, imagine our distress and frustration that at 1:00 p.m. we had still not been called to testify. No non-business people have been called and no women have been called.

We waited three hours and now have to leave to attend our state meeting. I'm sorry that you did not want to hear from us.

Ann Crump
International Staff Rep
Communications Workers of
America

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I apologise for leaving early
and not being able to speak.

If you have questions for me please do
not hesitate to contact me.

N. Niall Power

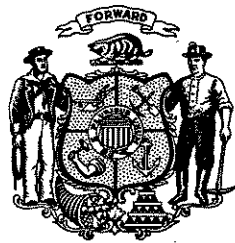
Printing Industries of Wisconsin

Ph. 262-784-3030

npower@piw.org

Its The Process

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Executive Summary
Apprenticeship Training Opportunities
A Proposed Change in Ratio

ABC & Town & Country's Position

The Bureau of Apprenticeship Standards intends to change the company AND jobsite apprenticeship ratio for contractors training electrical apprentices effective June 2, 2003.

ABC disagrees with the change for two reasons:

1. The new ratio will increase the cost of construction projects, particularly public projects; and
2. The ratio will negatively affect job opportunities for those awaiting an apprenticeship because employers will be unable to employ as many apprentices under the new ratio.

Executive Summary

Apprenticeship in Wisconsin has a long and proud tradition. Wisconsin's program, established in 1911, is one of the oldest programs in the country. Apprenticeship is a voluntary program that combines on-the-job training with related classroom instruction. Apprenticeship opportunities are offered in three basic occupational areas. They are Service (restaurants, cosmetology, etc.), Industrial, and Construction.

There are essentially two major construction apprenticeship program sponsors in Wisconsin. One program operated by Joint Apprenticeship Committees (JAC's) and another is operated by Associated Builders and Contractors of Wisconsin (ABC). As a general proposition, the JAC program is most often utilized by unionized employers and the ABC program by merit shop (non-union) employers.

The Bureau of Apprenticeship Standards (BAS) has authority over the state's apprenticeship programs. Through the use of trade specific advisory councils, the BAS sets program standards related to the requirements of both on-the-job training and the classroom instruction.

One of the program standards establishes the number of apprentices an employer can employ based on the number of skilled workers (journeymen) they employ (called a shop ratio). However the ratio of skilled workers to apprentices on any particular job was left to the discretion of the employer as long as the employer provided for proper supervision and adequate training (called a job site ratio).

The Bureau of Apprenticeship Standards has issued a directive to employers training electrical apprentices instituting a more restrictive company ratio and for the first time, a job site ratio. This change is scheduled to be effective June 2, 2003 and changes the ratio that ABC has had in effect since 1987.

We oppose this decision because it will increase the cost of construction (particularly public construction) and reduce training opportunities for workers.

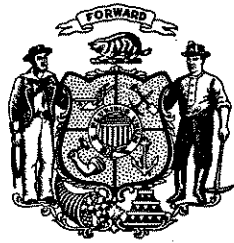
The imposition of a 1:1 jobsite ratio will effect a contractors composite crew cost. A modest increase in crew cost of just \$3.50 per hour on a project involving 5,000 hours of electrical construction (a typical project) translates into an increased cost of \$17,500 dollars. This is just one example involving one contractor on one project. ABC has more than 160 electrical contractors who have already bid and been awarded projects consisting tens of thousands of hours of electrical construction.

The negative impact this will have on future training opportunities may even be more troubling. After a review existing applicants to the ABC apprenticeship program, we have determined that as many as 80 people may be denied the opportunity for an electrical apprenticeship this year alone.

An electrical apprentice can expect an average base salary (not including benefits) of \$47,000 per year over the term of his or her apprenticeship. These are exactly the type of highly skilled and high paying jobs the state is attempting to attract and retain.

ABC has successfully operated an apprenticeship program since 1987, providing quality training and high paying jobs for literally thousands of people under current ratio requirements. Given that fact and the fiscal crisis that state is facing and the difficult economic times ahead this change is particularly misguided.

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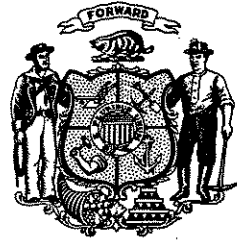
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Impact of Butlers Garter Snake Listing

The Butlers Garter Snake was added to the Wisconsin endangered species list in 1997. It is not a federally-endangered species. When the list was added by administrative rule, the DNR was required to disclose the impact on small business that the listing would create. This is what the DNR "disclosed":

"Snake Collectors-The proposed revision would restrict the collection of butler's garter snake to persons granted a permit for scientific or education purposes...Due to the rarity of the species, this restriction should have little effect on collectors."

END



END

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1221

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-14-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) **Except as provided in section 9 of this chapter**, if a person who is affected by a rule adopted by a board believes that the imposition of the rule would impose an undue hardship or burden upon the person, the person may apply to the commissioner for a variance from the rule.

(b) The commissioner may hold a public hearing on an application submitted under subsection (a).

(c) If the commissioner determines that immediate compliance with the rule would impose an undue hardship or burden upon the applicant, the commissioner, except as provided in section 9 of this chapter, may grant a variance from the rule for any period not exceeding one (1) year.

(d) Upon the request of an applicant, the commissioner may renew an expired variance if the commissioner determines that compliance with the rule would continue to impose an undue hardship or burden upon the applicant. Except as provided in section 9 of this chapter, each renewal may be granted for a period not exceeding one (1) year.

SECTION 2. IC 13-14-8-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) ~~This section applies to~~ A variance granted under section 8 of this chapter or ~~IC 13-7-7-6 (before its repeal)~~ from a water quality standard that is at

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least in part the basis of a National Pollutant Discharge Elimination System permit issued under this title **must meet the conditions specified in:**

(1) 40 CFR Part 132, Appendix F, Procedure 2.C; and

(2) rules adopted by the board.

(b) Except as provided in subsection (c), a variance from a water quality standard of the water pollution control board under section 8 of this chapter or IC 13-7-7-6 (before its repeal) may be:

(1) granted for not more than five (5) years; and

(2) renewed for not more than five (5) years.

(c) A variance granted under section 8 of this chapter or IC 13-7-7-6 (before its repeal) from a water quality standard that is at least in part the basis of a National Pollutant Discharge Elimination System permit:

(1) issued under this title; and

(2) extended under IC 13-15-3-6 or IC 13-7-10-2(e) (before its repeal);

remains in effect until the National Pollutant Discharge Elimination System permit expires.

SECTION 3. IC 13-21-3-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. (a) Except as provided in subsection (c) and section 14.5 of this chapter, the powers of a district do not include the following:

(1) The power of eminent domain.

(2) Except as provided in subsection (b), the power to exclusively control the collection or disposal of any solid waste or recyclables within the district by means that include the following:

(A) Franchising.

(B) Establishing a territory or territories within the district in which a person may provide service.

(3) The power to establish the type of service that a person must provide for the collection or disposal of solid waste or recyclables within the district.

(4) The power to establish fees that a person must charge for the collection or disposal of solid waste or recyclables within the district.

(5) The power to issue permits for an activity that is already permitted by a state agency, except as expressly granted by statute.

(b) If one (1) or more of the governmental entities in a district, at the time of the formation of the district, is a party to a contract providing that the persons contracted with have the exclusive right to collect or dispose of solid waste within the jurisdiction of the governmental

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entity, the district may enter into an extension of that contract.

(c) Subsection (a) does not apply to activities conducted as part of a household hazardous waste collection and disposal project.

SECTION 4. [EFFECTIVE DECEMBER 31, 2000 (RETROACTIVE)] (a) As used in this SECTION, "board" refers to the water pollution control board established by IC 13-18-1.

(b) All waters designated under 327 IAC 2-1.5-19(b) as outstanding state resource waters shall be maintained and protected in their present quality in accordance with the antidegradation implementation procedures for the outstanding state resource waters established by the board for waters in the Great Lakes system. This SECTION does not affect the authority of the board to amend 327 IAC 5-2-11.7. Any rule adopted by the board contrary to this standard is void.

(c) All waters designated as outstanding state resource waters under 327 IAC 2-1-2(3) and waters designated as exceptional use waters under 327 IAC 2-1-6(i) shall be maintained and protected in accordance with 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2). If a permittee seeks a new or increased discharge for which a new or increased permit limit is required and that amounts to a significant lowering of water quality, the permittee shall demonstrate an overall improvement in water quality in the outstanding state resource water or exceptional use water, subject to:

(1) the approval of the department of environmental management; and

(2) IC 13-18-3-2(m)(2)(A) and IC 13-18-3-2(m)(2)(B).

(d) Any rule adopted by the board before the effective date of this SECTION is void to the extent that it:

(1) is inconsistent with this SECTION; or

(2) requires protection of waters beyond the protection required by 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2).

(e) Before July 1, 2004, the board shall amend 327 IAC 2-1-2, 327 IAC 2-1-6, and 327 IAC 2-1.5-4 to reflect this SECTION.

(f) This SECTION expires on the earlier of:

(1) the effective date of the rule amendments adopted by the board under subsection (e); or

(2) July 1, 2006.

SECTION 5. [EFFECTIVE DECEMBER 31, 2002 (RETROACTIVE)] (a) Until July 1, 2004, the following apply to a water body designated before October 1, 2002, as an exceptional use water:

(1) The water body is subject to the overall water quality

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improvement provisions of IC 13-18-3-2(l).

(2) The water body is not subject to a standard of having its water quality maintained and protected without degradation consistent with the provisions of P.L.140-2000.

(b) Before July 1, 2004, the water pollution control board established under IC 13-18-1 shall:

(1) determine whether, effective July 1, 2004, to designate as an outstanding state water each water designated before October 1, 2002, as an exceptional use water under 327 IAC 2-1-11; and

(2) complete rulemaking to make any designation determined under subdivision (1).

(c) This SECTION expires July 1, 2006.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) Before July 1, 2005, the:

(1) air pollution control board, water pollution control board, or solid waste management board may not adopt a new rule; and

(2) department of environmental management may not adopt a new policy;

if the new rule or policy would require any industry described in subsection (b) that experienced at least a ten percent (10%) job loss or a ten percent (10%) decline in production during calendar years 2001 and 2002 to comply with a standard of conduct that exceeds the standard established in a related federal regulation or regulatory policy.

(b) The following are the industries referred to in subsection (a) functioning under the following primary Standard Industrial Classification (SIC) codes:

- (1) Blast furnaces and steel mills (3312).
- (2) Gray and ductile iron foundries (3321).
- (3) Malleable iron foundries (3322).
- (4) Steel investment foundries (3324).
- (5) Steel foundries (3325).
- (6) Aluminum foundries (3365).
- (7) Copper foundries (3366).
- (8) Nonferrous foundries (3369).

(c) This SECTION expires July 1, 2005.

SECTION 7. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

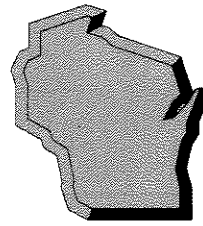
Approved: _____

Governor of the State of Indiana

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WISCONSIN CAST METALS ASSOCIATION

225 Regency Court, Suite 200 ■ Brookfield, WI 53045
Phone 262-432-0035 ■ Fax 262-784-2287

Wisconsin Foundry Facts

Did you know that...

- Metalcasting is the nation's 6th largest industry and the Great Lakes states of Wisconsin, Michigan, Ohio and Indiana are the leading states in the U.S. production of castings.
- 154 foundries in Wisconsin together account for a payroll of \$840 million annually.
- There are nearly 24,000 persons employed in Wisconsin foundries, almost 10% of the national metalcasting workforce.
- Metal castings are at the foundation of virtually every manufacturing industry in the country; castings are used in 90% of all durable goods and nearly 100% of machined tools and other manufacturing machinery.
- Wisconsin foundries produce castings ranging from 70 ton/43 foot diameter steel gears used in mining equipment to intricate, thin-walled aluminum castings that are part of aircraft engines.
- Recycling is an integral part of the casting process. Wisconsin foundries every day melt and reuse many tons of scrap metal that otherwise would be deposited in landfills. These same facilities annually produce nearly 900,000 tons of by-products, primarily spent system sand, that are suitable for a variety of environmentally-approved beneficial reuses.