

2013 DRAFTING REQUEST

Senate Amendment (SA-SB629)

Received: 3/6/2014 Received By: gmalaise
Wanted: Today Same as LRB:
For: Paul Farrow (608) 266-9174 By/Representing: Mike Tierney (Rep. Kahl)
May Contact: Drafter: gmalaise
Subject: Employ Priv - health and safety Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Farrow@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Substance abuse prevention program; exception for cooperatives

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------------|---------------------|----------------------|----------------|----------------------|----------------------|-----------------|
| /? | gmalaise 3/6/2014 | scalvin 3/6/2014 | | _____ | | | |
| /1 | | | jfrantze 3/6/2014 | _____ | sbasford 3/6/2014 | sbasford 3/6/2014 | |

FE Sent For:

<END>

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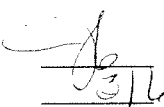
Topic:

Substance abuse prevention program; exception for cooperatives

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| /? | gmalaise 3/6/2014 | /1 sac 03/06/2014 | /1 sac 03/06/2014 |  3/6 | | | |

FE Sent For:

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2013 DRAFTING REQUEST

Senate Amendment (SA-SB629)

Received: 3/6/2014 Received By: gmalaise
 Wanted: Soon Same as LRB:
 For: Robb Kahl (608) 266-8570 By/Representing: Mike Tierney
 May Contact: Drafter: gmalaise
 Subject: Employ Priv - health and safety Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Kahl@legis.wisconsin.gov
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Substance abuse prevention program; exception for cooperatives

Instructions:

See attached

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | gmalaise | | | | | | |

FE Sent For:

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Malaise, Gordon

From: Tierney, Michael
Sent: Thursday, March 06, 2014 11:01 AM
To: Malaise, Gordon
Subject: Amendment request for AB 803
Attachments: Revisions to amendment SB 629_AB 803 rev.pdf

Importance: High

Hi Gordon –

Can you draft an amendment to AB 803 based upon the attached document? Larry Konopacki in Leg Council is familiar with this request and may be able to assist in answering questions, etc.

Thank you.

Mike

Michael Tierney
Legislative Aide
Office of Representative Robb Kahl
Room 7 West, State Capitol
PO Box 8952
Madison WI 53708
Michael.tierney@legis.wi.gov
608-266-8570

From: Beata Kalies [<mailto:Beata.Kalies@cooperativenetwork.coop>]
Sent: Tuesday, March 04, 2014 11:15 AM
To: Tierney, Michael
Subject: AB 803 Substance abuse by employees performing maintenance or construction work on public utility projects
Importance: High

Mike-
Here is the language for the amendment we would like to have added to AB 803. Thank you so much for considering the changes.
Please let me know if there are any questions.
Beata

Beata Kalies

Representing Wisconsin's Electric Cooperatives
Director of Government Relations | Cooperative Network
1 South Pinckney Street, Suite 810 | Madison, WI 53703
608.258.4406 | cell: 608.279.9275 | cooperativenetwork.coop

At the locations indicated, amend the bill as follows:

subs (2), (4), (5)

1. Page 4, line 19: after "or" insert "for purposes of this section,".
2. Page 4, line 20: after "185" delete "to furnish" and insert "for the purpose of furnishing".
3. Page 6, line 12: after "NONAPPLICABILITY." insert "(1)".
4. Page 6, line 15: before "Section 15." 103.503 (4m)(2) is created to read:

Sub. (3) does not apply to a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power or water to its members only.

As inserted into the original bill language, the foregoing would amend SB 629/AB 803 as follows (additions underlined, deletions struck out):

1. Page 4, lines 16-20:

SECTION 7. 103.503 (1) (h) of the statutes is created to read:

103.503 (1) (h) "Public utility" has the meaning given in s. 196.01 (5) and includes a telecommunications carrier, as defined in s. 196.01 (8m), an alternative telecommunications utility, as defined in s. 196.01 (1d), or for purposes of this section, a cooperative association organized under ch. 185 for the purpose of producing or furnishing ~~to furnish gas, heat,~~ light, ~~heat,~~ power, or water to its members only.

2. Page 6, lines 11-14:

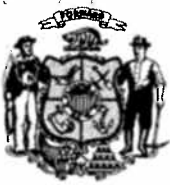
SECTION 14. 103.503 (4m) of the statutes is created to read:

103.503 (4m) PUBLIC UTILITY PROJECT EMPLOYEES;
NONAPPLICABILITY.

(1) This section does not apply to an employee performing work on a public utility project who is subject to drug or alcohol testing under 49 CFR Parts 40, 199, or 382.

(2) Sub. (3) does not apply to a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power or water to its members only.

on a public utility project
an employer that performs work for



State of Wisconsin
2013 ~~2014~~ LEGISLATURE

IN 316
5007



LRBa2035/7

GMM.../.....

SAC

SENATE AMENDMENT ,
TO SENATE BILL 629

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 4, line 19: after “or” insert “, for purposes of subs. (2) and (4).”

3 **2.** Page 4, line 20: delete that line and substitute } “organized under ch. 185
4 for the purpose of producing or furnishing heat, light, power, or water to its members
5 only.”

6 **3.** Page 4, line 23: after “right-of-way.” insert “For purposes of sub. (3), “public
7 utility project” does not include a project erected, constructed, repaired, remodeled,
8 or demolished for a cooperative association organized under ch. 185 for the purpose
9 of producing or furnishing heat, light, power, or water to its members only.”

10 **4.** Page 6, line 10: after that line insert:

11 “SECTION 13m. 103.503 (4) (b) 2. of the statutes is amended to read:

12 103.503 (4) (b) 2. That the employee has been approved to commence or return
13 to work on the project. If the employer is required to have in place a substance abuse

1 prevention program under sub. (3), that approval shall be granted in accordance with
2 the employer's substance abuse prevention program under sub. (3)."

History: 2005 a. 181; 2009 a. 28; 2011 a. 32.

3 **5.** Page 6, line 12: delete that line and substitute:

4 "103.503 **(4m)** PUBLIC UTILITY PROJECTS; NONAPPLICABILITY. (a) This".

5 **6.** Page 6, line 14: after that line insert:

6 "(b) Subsection (3) does not apply to an employer that performs work on a public
7 utility project for a cooperative association organized under ch. 185 for the purpose
8 of producing or furnishing heat, light, power, or water to its members only."

9 (END)