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WisACT 84

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Senate Bill 2

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1983 Wisconsin Act 84

AN ACT to amend 109.07 (1); and to create 14.28 (1) (fm), 15.157 (4), 19.85 (1) (i) and 560.15 of the statutes, relating to establishing an economic adjustment program and creating a council for economic adjustment in the department of development, authorizing the creation of community response committees and making an appropriation.

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

SECTION 1. 14.28 (1) (fm) of the statutes is created to read:

14.28 (1) (fm) Cooperate with the council for economic adjustment and the department of development in the performance of their responsibilities under ss. 15.157 (4) and 560.15, including notification to the department of development of an act by a business under s. 560.15 (1) (a).

SECTION 2. 15.157 (4) of the statutes is created to read:

15.157 (4) COUNCIL FOR ECONOMIC ADJUSTMENT. (a) There is created in the department of development a council for economic adjustment consisting of the following 8 members:

1. The secretary of development or the secretary's designee.
2. The secretary of industry, labor and human relations or the secretary's designee.
3. The president of the university of Wisconsin system or the president's designee.
4. The chancellor of the university of Wisconsin-extension or the chancellor's designee.
5. The director of vocational, technical and adult education or the director's designee.
6. The executive director of the governor's employment and training office or the executive director's designee.
7. A representative from the business community.
8. A representative from the labor community.

(b) The council shall advise and assist the department in the performance of its responsibilities under s. 560.15.

SECTION 3. 19.85 (1) (i) of the statutes is created to read:

19.85 (1) (i) Considering any and all matters related to acts by businesses under s. 560.15 which, if discussed in public, could adversely affect the business, its employees or former employees.

SECTION 4. 109.07 (1) of the statutes is amended to read:

109.07 (1) Every employer employing 100 or more persons in this state who has decided upon a merger, liquidation, disposition or relocation within or without the state, resulting in a cessation of business operations affecting employees shall promptly notify the department in writing of such action no later than 60 days prior to the date that such merger, liquidation, disposition, relocation or cessation takes place. The employer shall provide in writing all information concerning its payroll, affected employees and the wages and other remuneration owed to such employees as the department may require. The department may in addition require the employer to submit a plan setting forth the manner in which final payment in full shall be made to affected employees. The depart-

ment shall promptly provide a copy of the notice required under this subsection to the department of development and shall cooperate with the council for economic adjustment and the department of development in the performance of their responsibilities under ss. 15.157 (4) and 560.15.

SECTION 5. 560.15 of the statutes is created to read:

560.15 Economic adjustment program. (1) The department, with the advice and assistance of the council for economic adjustment and community response committees created under sub. (3), and in cooperation with the governor's employment and training office and the department of industry, labor and human relations, shall perform the responsibilities under sub. (2) if the following conditions are met:

(a) A business, regardless of its size or form of organization, has decided to cease its operations or has ceased its operations at any place of business located in this state; or has decided to lay off or has laid off, whether permanently or temporarily, any of its employes at any place of business located in this state.

(b) The department has received notification of an act by a business under par. (a) from any of the following:

1. The department of industry, labor and human relations under s. 109.07 (1).
2. The governor's employment and training office under s. 14.28 (1) (fm).
3. The business.
4. An employe of the business or a former employe laid off by an act under par. (a).
5. A member of the council for economic adjustment.
6. A small business development center of the university of Wisconsin system.
7. A faculty member of the university of Wisconsin-extension.
8. An economic development coordinator of vocational, technical and adult education.

(2) Upon notification of an act by a business under sub. (1), the department shall provide assistance, or provide referrals to other persons or arrange and coordinate assistance from other persons, including federal, state or local governmental units, agencies or programs, other businesses, service organizations, educational institutions and financial institutions, to the following persons for the following purposes and upon the following conditions:

(a) A business which has performed an act under sub. (1) (a), for the purpose of enabling continued or renewed operation of the business or avoiding or rescinding temporary or permanent layoffs, if the business requests or chooses to accept the assistance of the department.

(b) One or more employes of a business, or former employes laid off by an act under sub. (1) (a), if the business has performed an act under sub. (1) (a), for the purpose of retraining the employes or former employes, matching their skills with jobs for other employers or accomplishing the transfer of ownership, control or management of a business which has decided to or has ceased operations to employes or former employes, members of the community or others, if one or more employes or former employes request or choose to accept the assistance of the department.

(c) A business or one or more employes of a business or former employes laid off by an act under sub. (1) (a), if the business has performed an act under sub. (1) (a), for any of the purposes set forth in pars. (a) and (b), if the business and one or more employes or former employes request or choose to accept the assistance of the department.

(3) (a) If a business, or one or more employes of a business or former employes laid off by an act under sub. (1) (a), request or accept assistance under sub. (2), the department shall send written notice thereof to the chief executive officer of the village, town or city where the business has or had its place of business.

(b) A chief executive officer receiving notification under par. (a), after consultation with the business affected, may create a community response committee which shall consist of the following members to be appointed by and serve at the pleasure of the chief executive officer:

1. A representative from the business if the business requests or accepts assistance under sub. (2).

2. A representative from the employes of the business or former employes laid off by an act under sub. (1) (a), if one or more employes or former employes request or accept assistance under sub. (2).

3. A representative from the village, town, city or county where the business has or had its place of business.

4. A representative from a local economic development organization.

(c) A committee created under par. (b) may appoint additional members to serve at the pleasure of the committee, or may otherwise request assistance from any persons, including representatives from any of the following:

1. A local office of the department.

2. A local campus of the university of Wisconsin system.

3. A county office of the university of Wisconsin-extension.

4. A district vocational, technical and adult education school.

5. A regional small business development center of the university of Wisconsin system.

6. A district office of the department of industry, labor and human relations.

7. The office of the county treasurer.

(d) Each community response committee shall advise and assist the department and the council for economic adjustment in the performance of their responsibilities under this section and s. 15.157 (4).

(4) All records received or created for the purposes of this section shall be closed to public inspection if the department, the council for economic adjustment, a chief executive officer of a village, town or city or a community response committee determines that public inspection of the records could adversely affect the business, its employes or former employes.

(5) Each employe of the department, and each member of the council for economic adjustment and of the community response committee, and each chief executive officer of a village, town or city and employes of his or her office shall keep secret all facts and information obtained in the course of performing their responsibilities under this section. This subsection does not prohibit the public inspection of records to the extent permitted under sub. (4) nor meetings in open session to the extent permitted under s. 19.85 (1) (i).

SECTION 6. Appropriation changes; development. The appropriation to the department of development under section 20.143 (1) (a) of the statutes, as affected by the acts of 1983, is increased by \$25,000 for fiscal year 1983-84 and by \$50,000 for fiscal year 1984-85 to provide 1.0 FTE position to carry out the responsibilities of the department under section 560.15 of the statutes.
