
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: June 30, 2021

Contact: Anna Henning, Senior Staff Attorney

2021 Assembly Bill 408

**Assembly
Amendment 1**

2021 ASSEMBLY BILL 408

2021 Assembly Bill 408 authorizes the commission for the Milwaukee Metropolitan Sewerage District (MMSD) to finance and construct a dredged material management facility and undertake other shoreland protection and erosion control projects through calendar year 2031, with certain conditions. Specifically, the commission must adopt a resolution by the end of calendar year 2021 that limits MMSD's capital budget levy increases to no more than three percent through 2027. With respect to a new dredged material management facility, the bill also requires the commission to pay for all costs through MMSD's capital budget. If the costs are financed with bonds or notes, the bonds and notes must be payable within 35 years.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 adds new provisions to the bill relating to substance abuse by persons working on certain transportation projects. Assembly Amendment 1 does not affect any of the provisions of the bill, as introduced.

More specifically, **current law** prohibits substance abuse and related activities by persons working on certain public works and public utility projects in public rights-of-way, and requires certain contractors and subcontractors for such projects to provide substance abuse prevention programs for their employees.

The amendment makes several changes to those provisions of current law, all of which take effect 90 days after the bill otherwise takes effect. First, the amendment extends the substance abuse requirements to employees and employers performing work on "transportation projects," defined to include the construction or reconstruction of any road or bridge performed under a contract entered into by a local unit of government.

The amendment also modifies the definition of "public utility" for purposes of the current provisions relating to substance abuse by persons working on public utility projects. Specifically, the amendment provides that, in this context, "public utility" includes owners of fiber optics, broadband, or cable.

Third, the amendment adds a certification requirement. The amendment specifies that if the cost to perform work on a transportation or public utility project is more than \$25,000, the employer must certify its compliance with the substance abuse prevention requirements to both the Department of Workforce Development (DWD) and project owners.

Finally, the amendment requires DWD to maintain a publicly accessible list of certified employers and to adopt rules relating to warnings and penalties for violations of the certification requirements.

BILL HISTORY

The Joint Committee on Finance introduced and voted unanimously to recommend passage of Assembly Bill 408 on June 23, 2021. During the June 29, 2021, Assembly floor session, Representative Jessie Rodriguez offered Assembly Amendment 1, and the Assembly then passed both the amendment and the bill, as amended, on voice votes.

AH:ty