

## 1999 ASSEMBLY BILL 400

1 AN ACT *to amend* 103.73 (1) (intro.), 103.73 (1) (a), 103.75 (1) and 103.76 of the  
2 statutes; **relating to:** proof of age of a minor for purposes of the child labor laws  
3 and granting rule-making authority.

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*Analysis by the Legislative Reference Bureau*

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

4 **SECTION 1.** 103.73 (1) (intro.) of the statutes is amended to read:  
5 103.73 (1) (intro.) The permit provided under s. 103.70 shall state the name and  
6 the date and place of birth of the minor and that the following evidence, records and  
7 papers have been examined, approved and filed:

8 **SECTION 2.** 103.73 (1) (a) of the statutes is amended to read:  
9 103.73 (1) (a) Such evidence as is required by the department showing the age  
10 of the minor. The department shall ~~formulate and publish rules and regulations~~

**ASSEMBLY BILL 400****SECTION 2**

1 promulgate rules governing the proof of age of minors who apply for labor permits,  
2 and such rules and regulations that shall bind all persons authorized by law to issue  
3 such permits. In promulgating those rules, the department shall include a  
4 requirement that the department and its permit officers shall accept as evidence of  
5 a minor's age a duly attested birth certificate, a verified baptismal certificate, a valid  
6 operator's license issued under ch. 343 that contains the photograph of the license  
7 holder or an identification card issued under s. 343.50. Those rules shall also require  
8 the department and its permit officers to accept as evidence of a minor's age a valid  
9 operator's license issued under ch. 343 that contains the photograph of the license  
10 holder or an identification card issued under s. 343.50 without requiring proof that  
11 the minor's birth certificate or baptismal certificate cannot be secured.

12 **SECTION 3.** 103.75 (1) of the statutes is amended to read:

13 103.75 (1) The department or persons designated by it the department may  
14 issue certificates of age for minors under rules the department deems necessary. In  
15 issuing a certificate of age for a minor, the department or person designated by the  
16 department shall accept as evidence of the minor's age the evidence specified in s.  
17 103.73 (1) (a) in the manner specified in s. 103.73 (1) (a). The certificate is conclusive  
18 evidence of the age of the minor to whom issued in any proceeding under any of the  
19 labor laws and under ch. 102 as to any act or thing occurring subsequent to the date  
20 the certificate was issued.

21 **SECTION 4.** 103.76 of the statutes is amended to read:

22 **103.76 Proof of age in court.** Whenever in any proceeding in any court under  
23 any of the labor laws or under ch. 102 there is any doubt of the age of a minor, a duly  
24 issued child labor permit or age certificate shall be conclusive evidence. In the  
25 absence of such permit or certificate, a duly attested birth certificate or, a verified

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1     baptismal certificate, a valid operator's license issued under ch. 343 that contains the  
2     photograph of the license holder or an identification card issued under s. 343.50 shall  
3     be produced and filed with the court. Upon proof that the birth ~~or~~ certificate,  
4     baptismal certificate, operator's license or identification card cannot be secured, the  
5     record of age stated in the first school enrollment of the child shall be admissible as  
6     evidence thereof of the minor's age.

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**(END)**