

1999 Assembly Bill 400

Date of enactment: **May 9, 2000**
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1999 WISCONSIN ACT 132

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

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

SECTION 1. 103.73 (1) (intro.) of the statutes is amended to read:

103.73 (1) (intro.) The permit provided under s. 103.70 shall state the name and the date and place of birth of the minor and that the following evidence, records and papers have been examined, approved and filed:

SECTION 2. 103.73 (1) (a) of the statutes is amended to read:

103.73 (1) (a) Such evidence as is required by the department showing the age of the minor. The department shall ~~formulate and publish rules and regulations~~ promulgate rules governing the proof of age of minors who apply for labor permits, ~~and such rules and regulations that shall bind all persons authorized by law to issue such permits. In promulgating those rules, the department shall include a requirement that the department and its permit officers shall accept as evidence of a minor's age a duly attested birth certificate, a verified baptismal certificate, a valid operator's license issued under ch. 343 that contains the photograph of the license holder or an identification card issued under s. 343.50. Those rules shall also require the department and its permit officers to accept as evidence of a minor's age a valid operator's license issued under ch. 343 that contains the photograph of the license holder or an identification card issued~~

~~under s. 343.50 without requiring proof that the minor's birth certificate or baptismal certificate cannot be secured.~~

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

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

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

103.76 Proof of age in court. Whenever in any proceeding in any court under any of the labor laws or under ch. 102 there is any doubt of the age of a minor, a duly issued child labor permit or age certificate shall be conclusive evidence. In the absence of such permit or certificate, a duly attested birth certificate ~~or~~ a verified baptismal certificate, a valid operator's license issued under ch. 343 that contains the photograph of the license holder or an identification card issued under s. 343.50 shall be produced and filed with the court. Upon proof that the birth

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

~~or certificate, baptismal certificate, operator's license or identification card~~ cannot be secured, the record of age

stated in the first school enrollment of the child shall be admissible as evidence ~~thereof~~ of the minor's age.
