

**1999 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB168)**

Received: 02/16/2000

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Gary Drzewiecki (608) 266-5670

By/Representing: Scott Manley

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: **Employ Priv - miscellaneous**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

One day of rest in seven for cheesemakers; limits to makers of processed cheese

**Instructions:**

See Attached--include makers of processed cheese products in one day of rest in seven law.

**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>
/?	malaigm 02/16/2000	gilfokm 02/17/2000		_____			
/1			kfollet 02/17/2000	_____	lrb_docadmin 02/18/2000	lrb_docadmin 02/18/2000	

FE Sent For:

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1/?	malaigm	1-2-17-2000 fmg	kgf 2/17	kgf/self 2/17			

FE Sent For:

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## Malaise, Gordon

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**From:** Manley, Scott  
**Sent:** Wednesday, February 09, 2000 4:02 PM  
**To:** Malaise, Gordon  
**Cc:** Sen.Drzewiecki  
**Subject:** SB 168 Amendment

Gordon,

In order to address some of the concerns we have heard on Senate Bill 168 in terms of vagueness of the wording, we would like you to draft a substitute amendment consisting of one section, other than the initial applicability section:

### Section 1:

**103.85 (2) (cm) of the statutes is created to read:**

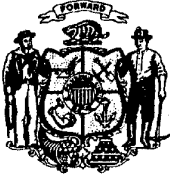
**103.85 (2) (cm) An exception to sub. (2)(c) is made for those workers in processed cheese plants who only work to produce pasteurized processed cheese products that have an expiration date on the product that is at least 60 days later than the date the product was packaged. Nothing in this paragraph shall prevent workers from voluntarily agreeing to work for 7 or more consecutive days without 24 consecutive hours of rest in those 7 or more days.**

Gordon our intent is not to achieve our goals by amending the present statute. There are too many political problems with trying to do that. Instead, we would like to create a very specific and narrow exemption to 103.85(2)(c).

Please make sure that the last sentence of our proposed language meets our intent of offering workers who fall under the newly created exemption to work for more than 7 days if they wish to do so.

Thank you,

Scott Manley  
Office of Senator Drzewiecki



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-2897/1  
GMM:jlg:hmh

2

**1999 SENATE BILL 168**

May 20, 1999 - Introduced by Senators DRZEWIECKI, DECKER and WIRCH, cosponsored by Representatives F. LASEE, MEYERHOFER, SYKORA, RYBA, GOETSCH and MUSSER. Referred to Committee on Labor.

1     **AN ACT to amend** 103.85 (2) (c); and **to create** 103.85 (2) (cm) of the statutes;  
2             **relating to:** one day of rest in 7 for persons employed in the manufacture of  
3             butter, cheese or other dairy products subsequent to the first processing of the  
4             milk from which those products are made.

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***Analysis by the Legislative Reference Bureau***

Under current law, subject to certain exceptions, every employer who owns or operates a factory or mercantile establishment must allow every person employed in the factory or mercantile establishment to have at least 24 consecutive hours of rest in every period of seven consecutive days (one day of rest in seven). Currently, an employer of a person employed in the manufacture of butter, cheese or other dairy products, or in the distribution of milk or cream, or in a cannery or freezer, is not required to allow the person to have one day of rest in seven. This bill requires a person employed in the manufacture of butter, cheese or other dairy products subsequent to the first processing of the milk from which those products are made to be given one day of rest in seven, unless the person voluntarily agrees to work without one day of rest in seven. The bill, however, continues the exception to the one day of rest in seven law for persons employed in the first processing of milk,

**SENATE BILL 168**

including the manufacture of butter, cheese or other dairy products from that milk, in the distribution of milk or cream or in a cannery or freezer.

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

1           **SECTION 1.** 103.85 (2) (c) of the statutes is amended to read:

2           103.85 (2) (c) Persons who are employed in the first processing of milk, as  
3 defined in s. 97.01 (10) (a), including the manufacture of butter, cheese or other dairy  
4 products from that milk, or in the distribution of milk or cream, or in canneries and  
5 freezers.

6           **SECTION 2.** 103.85 (2) (cm) of the statutes is created to read:

7           103.85 (2) (cm) Persons who are employed in the manufacture of butter, cheese  
8 or other dairy products subsequent to the first processing of the milk, as defined in  
9 s. 97.01 (10) (a), from which those dairy products are made and who voluntarily agree  
10 to work for 7 or more consecutive days without 24 consecutive hours of rest in those  
11 7 or more days.

12           **SECTION 3. Initial applicability.**

13           (1) This act first applies to persons who are affected by a collective bargaining  
14 agreement that contains provisions inconsistent with section 103.85 (2) (c) of the  
15 statutes, as affected by this act, or with section 103.85 (2) (cm) of the statutes, as  
16 created by this act, on the day on which the collective bargaining agreement expires  
17 or is extended, modified or renewed, whichever occurs first.

18

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBs0308/1  
GMM.....  
King

Soon

SENATE SUBSTITUTE AMENDMENT,  
TO 1999 SENATE BILL 168

1 AN ACT <sup>Sen. Cost.</sup> relating to: one day of rest in 7 for a person who is employed  
2 exclusively in the production of pasteurized cheese products that have  
3 expiration dates that are not less than 60 days after the date on which the  
4 products were packaged.

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

5 SECTION 1. 103.85 (2) (c) of the statutes is amended to read:

6 103.85 (2) (c) Persons employed in the manufacture of butter, cheese or other  
7 dairy products or in the distribution of milk or cream, or in canneries and freezers,  
8 except as provided in sub. (2m).

9 History: 1971 c. 185 s. 7; 1971 c. 228 s. 43; 1985 a. 135; 1995 a. 27.

9 SECTION 2. 103.85 (2) (cm) of the statutes is created to read:

10 103.85 (2) (cm) Persons described in sub. (2m) who voluntarily agree to work  
11 for 7 or more consecutive days without 24 consecutive hours of rest in those 7 or more  
12 days.

and except as provided in sub. (2)(cm)

1 SECTION 3. 103.85 (2m) of the statutes is created to read:

2 103.85 (2m) Notwithstanding sub. (2) (c), this section applies to a person who  
3 is employed exclusively in the production of pasteurized processed cheese products  
4 that have expiration dates that are not less than 60 days after the date on which the  
5 products were packaged.

6 SECTION 4. Initial applicability.

7 (1) This act first applies to persons who are affected by a collective bargaining  
8 agreement that contains provisions inconsistent with section 103.85 (2) (cm) and  
9 (2m) of the statutes, as created by this act, on the day on which the collective  
10 bargaining agreement expires or is extended, modified or renewed, whichever occurs  
11 first.

12 (END)