

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/21/99

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 6-1452

By/Representing: Dake

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: **Employ Priv - child labor**

Extra Copies:

Pre Topic:

ARC:.....Dake - Amendment #6,

Topic:

Eleven-year-old newspaper deliverers

Instructions:

See Attached

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 06/21/99	chanaman 06/21/99		_____			
/1			martykr 06/21/99	_____	lrb_docadmin 06/21/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/21/99

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 6-1452

By/Representing: Dake

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Employ Priv - child labor

Extra Copies:

Pre Topic:

ARC:.....Dake - Amendment #6,

Topic:

Eleven-year-old newspaper deliverers

Instructions:

See Attached

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>
1?	malaigm	cmv 6/21 h	cmv 6/21	cm 6/21 JF			

FE Sent For:

<END>

Budget Amendments 1999- 2000

Statement of Intent DWD. Allow an 11 year-old to deliver newspapers

Legislator Owens

Amendment# 6

Staff contact Jackie

Status Pass

Agency DWD

Tax Out

Summary

Under current law, a minor under the age of 12 cannot be employed or permitted to work at any time in any street trade. However, a minor under the age of 12 may work in a fund-raising sale for a nonprofit organization or a school with written approval from the minor's parent or guardian.

The amendment would allow an 11-year old to deliver newspapers.

Fiscal Impact The amendment would have no fiscal effect.

ARC Analyst Brian Dake

1999

Date (time) needed 5:00

LRB b 0801 11

**CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

GMM : CMH :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



60801 / 1

1999 ASSEMBLY BILL 134

February 22, 1999 - Introduced by Representatives POWERS, GARD, HANDRICK, BOCK, KREUSER, F. LASEE, OWENS, PORTER, RYBA, SERATTI, SKINDRUD, SYKORA, TURNER, YOUNG, ZIEGELBAUER, STONE, HUNDERTMARK, FREESE, GUNDRUM, HOVEN, JESKEWITZ and KELSO, cosponsored by Senators WIRCH, SCHULTZ, BRESKE, GEORGE, ROESSLER, RUDE, FARROW and A. LASEE. Referred to Committee on Labor and Employment.

1 AN ACT *to renumber* 103.23 (2); *to renumber and amend* 103.71 (2) (a); *to*
 2 *amend* 103.21 (1), 103.21 (6), 103.25 (3m) (c), 103.275 (8), 103.30, 103.67 (2) (c),
 3 103.71 (2) (b) (intro.) and 103.81 (1); and *to create* 103.21 (1v), 103.21 (5r),
 4 103.23 (2) (b), 103.64 (1v), 103.64 (6) and 103.71 (2) (a) 2. of the statutes;
 5 **relating to:** employment of minors 11 years of age in the sale or distribution
 6 of newspapers or shoppers guides.

Analysis by the Legislative Reference Bureau

Under current law, a minor may be employed in a street trade such as the sale or distribution of newspapers or magazines only if the minor is at least 12 years of age, except that a minor under 12 years of age may work in fund-raising sales for a nonprofit organization, a public school or a private school. To be employed in a street trade, a minor must obtain an identification card and the minor's employer must obtain a permit from the department of workforce development (DWD) or from a local permit officer designated by DWD. A minor may be employed only during certain hours designated by DWD so that the minor's employment does not interfere with school attendance.

This bill permits a minor who is at least 11 years of age to be employed in the sale or distribution of newspapers or shoppers guides if the usual permit procedure is followed. Work in street trades other than newspaper or shoppers guide sales or



ASSEMBLY BILL 134

H. Page 1089 line 2: after that line insert:

~~distribution and fund-raising sales remains limited to those minors who are at least 12 years of age.~~

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

2005 dd

1 SECTION 103.21 (1) of the statutes is amended to read:

2 103.21 (1) Every minor selling or distributing newspapers, shoppers guides or
3 magazines on the streets any street or other public place, or from house to house, is
4 in an "employment" and an "employee," "employee"; and each independent news
5 agency ~~or (in or, in the absence of all such agencies),~~ each selling agency of a publisher
6 ~~or (in or, in the absence of all such agencies),~~ each publisher, whose newspapers,
7 shoppers guides or magazines the minor sells or distributes, is an "employer" of the
8 minor. Every minor engaged in any other street trade is in an "employment" and an
9 "employee," "employee"; and each person furnishing the minor articles for sale or
10 distribution or regularly furnishing the minor material for blacking boots is the
11 minor's "employer".

2005 dg

12 SECTION 103.21 (1v) of the statutes is created to read:

13 103.21 (1v) "Newspaper" means a publication that is printed and distributed
14 at daily, weekly or other short, periodic intervals for the dissemination of current
15 news and information of a general character and of a general interest to the public.

2005 dj

16 SECTION 103.21 (5r) of the statutes is created to read:

17 103.21 (5r) "Shoppers guide" has the meaning given in s. 77.54 (15).

2005 dm

18 SECTION 103.21 (6) of the statutes is amended to read:

19 103.21 (6) "Street trade" means the selling, offering for sale, soliciting for,
20 collecting for, displaying or distributing any articles, goods, merchandise,

ASSEMBLY BILL 134

1 commercial service, posters, circulars, newspapers, shoppers guides or magazines,
2 or the blacking of boots, on any street or other public place or from house to house.

3 SECTION ^{2005 dp} 103.23 (2) of the statutes is renumbered 103.23 (2) (a).

4 SECTION ^{2005 dr} 103.23 (2) (b) of the statutes is created to read:

5 103.23 (2) (b) A minor who is 11 years of age or over may be employed or
6 permitted to work in the sale or distribution of newspapers or shoppers guides.

7 SECTION ^{2005 dt} 103.25 (3m) (c) of the statutes is amended to read:

8 103.25 (3m) (c) This subsection does not apply to employment of a minor by a
9 newspaper or shoppers guide publisher or in a fund-raising sale for a nonprofit
10 organization, a public school or a private school.

11 SECTION ^{2005 dv} 103.275 (8) of the statutes is amended to read:

12 103.275 (8) EXCEPTION. This section does not apply to the employment of a
13 minor by a newspaper or shoppers guide publisher or in a fund-raising sale for a
14 nonprofit organization, a public school or a private school.

15 SECTION ^{2005 dx} 103.30 of the statutes is amended to read:

16 **103.30 Penalty on newspapers and shoppers guides for allowing**
17 **minors to loiter around premises.** A newspaper or shoppers guide publisher or
18 printer or person having for sale or distribution newspapers, shoppers guides or
19 magazines shall may not permit any minor under 18 years of age to loiter or remain
20 around any premises where the newspapers, shoppers guides or magazines are
21 printed, assembled, prepared for sale or distribution, distributed or sold when the
22 minor is required under s. 118.15 to attend school. Any person violating this section
23 is subject to the penalties specified in s. 103.29. ^{sh}

24 SECTION ^{2005 hd} 103.64 (1v) of the statutes is created to read:

Page 1080, line 24: after that line insert:

ASSEMBLY BILL 134

SECTION 10

1 103.64 (1v) "Newspaper" means a publication that is printed and distributed
2 at daily, weekly or other short, periodic intervals for the dissemination of current
3 news and information of a general character and of a general interest to the public.

4 SECTION ~~103.64~~ ^{2005 hg} 103.64 (6) of the statutes is created to read:

5 103.64 (6) "Shoppers guide" has the meaning given in s. 77.54 (15).

6 SECTION ~~103.67~~ ^{2005 hj} 103.67 (2) (c) of the statutes is amended to read:

7 103.67 (2) (c) Minors 11 years of age or older may be employed in the sale or
8 distribution of newspapers or shoppers guides. minors 12 years of age or older may
9 be employed in other street trades, and any minor may work in fund-raising sales
10 for nonprofit organizations, public schools or private schools, as provided in ss.
11 103.21 to 103.31.

12 SECTION ~~103.71~~ ^{2005 hm} 103.71 (2) (a) of the statutes is renumbered 103.71 (2) (a) (intro.)
13 and amended to read:

14 103.71 (2) (a) (intro.) The employment of minors 11 to 13 years of age as follows:

15 1. As ball monitors at high school football games as provided in s. 103.67 (2) (i).

16 SECTION ~~103.71~~ ^{2005 hp} 103.71 (2) (a) 2. of the statutes is created to read:

17 103.71 (2) (a) 2. In the sale or distribution of newspapers or shoppers guides
18 as provided in s. 103.67 (2) (c).

19 SECTION ~~103.71~~ ^{2005 hr} 103.71 (2) (b) (intro.) of the statutes is amended to read:

20 103.71 (2) (b) (intro.) The employment of minors 12 years of age and over as
21 follows:

22 SECTION ~~103.81~~ ^{2005 ht} 103.81 (1) of the statutes is amended to read:

23 103.81 (1) During the term that the public schools are in session, ~~a person shall~~
24 ~~not~~ no person may advertise or cause or permit any advertisement to be published
25 in any newspaper or shoppers guide for the labor or services of any minor during

ASSEMBLY BILL 134

1 school hours in any employment for which a child labor permit is required under s.
2 103.70 which does not specifically state the minimum age of the minor whose services
3 are desired, which age must be 18 years or over. "

4

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0801/1
GMM:cmh:km

ARC:.....Dake – Amendment #6, Eleven-year-old newspaper deliverers

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1080, line 2: after that line insert:

3 “SECTION 2005dd. 103.21 (1) of the statutes is amended to read:

4 103.21 (1) Every minor selling or distributing newspapers, shoppers guides or

5 magazines on ~~the streets~~ any street or other public place, or from house to house, is

6 in an “employment” and an “~~employee,~~” “employee”; and each independent news

7 agency ~~or (in or, in the absence of all such agencies),~~ each selling agency of a publisher

8 ~~or (in or, in the absence of all such agencies),~~ each publisher, whose newspapers,

9 shoppers guides or magazines the minor sells or distributes, is an “employer” of the

10 minor. Every minor engaged in any other street trade is in an “employment” and an

1 ~~“employee,”~~ “employee”; and each person furnishing the minor articles for sale or
2 distribution or regularly furnishing the minor material for blacking boots is the
3 minor’s “employer”.

4 **SECTION 2005dg.** 103.21 (1v) of the statutes is created to read:

5 103.21 (1v) “Newspaper” means a publication that is printed and distributed
6 at daily, weekly or other short, periodic intervals for the dissemination of current
7 news and information of a general character and of a general interest to the public.

8 **SECTION 2005dj.** 103.21 (5r) of the statutes is created to read:

9 103.21 (5r) “Shoppers guide” has the meaning given in s. 77.54 (15).

10 **SECTION 2005dm.** 103.21 (6) of the statutes is amended to read:

11 103.21 (6) “Street trade” means the selling, offering for sale, soliciting for,
12 collecting for, displaying or distributing any articles, goods, merchandise,
13 commercial service, posters, circulars, newspapers, shoppers guides or magazines,
14 or the blacking of boots, on any street or other public place or from house to house.

15 **SECTION 2005dp.** 103.23 (2) of the statutes is renumbered 103.23 (2) (a).

16 **SECTION 1.** 103.23 (2) (b) of the statutes is created to read:

17 103.23 (2) (b) A minor who is 11 years of age or over may be employed or
18 permitted to work in the sale or distribution of newspapers or shoppers guides.

19 **SECTION 2005dt.** 103.25 (3m) (c) of the statutes is amended to read:

20 103.25 (3m) (c) This subsection does not apply to employment of a minor by a
21 newspaper or shoppers guide publisher or in a fund-raising sale for a nonprofit
22 organization, a public school or a private school.

23 **SECTION 2005dv.** 103.275 (8) of the statutes is amended to read:

1 103.275 (8) EXCEPTION. This section does not apply to the employment of a
2 minor by a newspaper or shoppers guide publisher or in a fund-raising sale for a
3 nonprofit organization, a public school or a private school.

4 **SECTION 2005dx.** 103.30 of the statutes is amended to read:

5 **103.30 Penalty on newspapers and shoppers guides for allowing**
6 **minors to loiter around premises.** A newspaper or shoppers guide publisher or
7 printer or person having for sale or distribution newspapers, shoppers guides or
8 magazines ~~shall~~ may not permit any minor under 18 years of age to loiter or remain
9 around any premises where the newspapers, shoppers guides or magazines are
10 printed, assembled, prepared for sale or distribution, distributed or sold when the
11 minor is required under s. 118.15 to attend school. Any person violating this section
12 is subject to the penalties specified in s. 103.29.”

13 **2.** Page 1080, line 24: after that line insert:

14 **“SECTION 2005hd.** 103.64 (1v) of the statutes is created to read:

15 103.64 (1v) “Newspaper” means a publication that is printed and distributed
16 at daily, weekly or other short, periodic intervals for the dissemination of current
17 news and information of a general character and of a general interest to the public.

18 **SECTION 2005hg.** 103.64 (6) of the statutes is created to read:

19 103.64 (6) “Shoppers guide” has the meaning given in s. 77.54 (15).

20 **SECTION 2005hj.** 103.67 (2) (c) of the statutes is amended to read:

21 103.67 (2) (c) Minors 11 years of age or older may be employed in the sale or
22 distribution of newspapers or shoppers guides, minors 12 years of age or older may
23 be employed in other street trades, and any minor may work in fund-raising sales

1 for nonprofit organizations, public schools or private schools, as provided in ss.
2 103.21 to 103.31.

3 **SECTION 2005hm.** 103.71 (2) (a) of the statutes is renumbered 103.71 (2) (a)
4 (intro.) and amended to read:

5 103.71 (2) (a) (intro.) The employment of minors 11 to 13 years of age as follows:
6 1. As ball monitors at high school football games as provided in s. 103.67 (2) (i).

7 **SECTION 2005hp.** 103.71 (2) (a) 2. of the statutes is created to read:

8 103.71 (2) (a) 2. In the sale or distribution of newspapers or shoppers guides
9 as provided in s. 103.67 (2) (c).

10 **SECTION 2005hr.** 103.71 (2) (b) (intro.) of the statutes is amended to read:

11 103.71 (2) (b) (intro.) The employment of minors 12 years of age and over as
12 follows:

13 **SECTION 2005ht.** 103.81 (1) of the statutes is amended to read:

14 103.81 (1) During the term that the public schools are in session, ~~a person shall~~
15 ~~not~~ no person may advertise or cause or permit any advertisement to be published
16 in any newspaper or shoppers guide for the labor or services of any minor during
17 school hours in any employment for which a child labor permit is required under s.
18 103.70 which does not specifically state the minimum age of the minor whose services
19 are desired, which age must be 18 years or over.”

20 (END)