

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3516/P4dn
GMM:cmh:kjf

March 2, 2000

Bruce:

Please review carefully the changes that I made to ch. 106. As you will see, this draft does all of the following:

1. Places all the defined terms in s. 106.001 so that those definitions are applicable throughout the subchapter and not just in s. 106.01. Because "indenture" is now a defined term, this draft deletes its cognate "indentured" wherever found and substitutes a construction using the exact term defined. See ss. 106.02 and 106.025 (2). Making the defined terms applicable not only in s. 106.01, but rather throughout the subchapter will work because those terms are found not just in s. 106.01, but also in other sections in the subchapter.

2. In s. 106.01 (5i) (a), this draft expressly permits an apprentice to enter into an indenture with an employer. Although that concept is implicit in s. 106.01, it is not expressed so that s. 106.01 (5i) (b) and (c), which permit an employer to assign an indenture, appear to come out of the blue in the absence of an antecedent. Accordingly, in this draft s. 106.01 (5i) (a) lays out the basis on which pars. (am), (b) and (c) follow, *i.e.*, assignment by an organization to an employer, assignment by an employer to an organization and assignment by an employer to another employer, respectively.

3. In s. 106.01 (2), this draft retains "in writing" because that is a substantive legal requirement that is inappropriate for inclusion in a definition.

4. In s. 106.01 (5j), this draft eliminates "contract or agreement" because those terms are redundant in that they are included in the definition of "indenture." Moreover, they are not in agreement with the language of the last sentence of s. 106.01 (5j).

If you wish to discuss these or any other changes to ch. 106 made by this draft, please do not hesitate to contact me directly.

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