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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections, and Urban
Affairs (SC-LEUA)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Senate Bill 349

Relating to: the employment of minors 12 years of age or older by nonprofit organizations in and around the homes of elderly persons and persons with disabilities to perform snow shoveling, lawn mowing, leaf raking, and other similar work usual to those homes.

By Senator Plale; cosponsored by Representative Sinicki.

October 28, 2009 Referred to Committee on Labor, Elections and Urban Affairs.

October 29, 2009 **PUBLIC HEARING HELD**

Present: (5) Senators Coggs, Wirsch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Appearances For

- Jeff Plale — Senator

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Christine Sinicki — Representative

Registrations Against

- None.

Registrations for Information Only

- None.

November 2, 2009 **EXECUTIVE SESSION HELD**

Present: (0) None.

Absent: (0) None.

Moved by Senator Coggs that **Senate Amendment 1** be recommended for adoption.

Ayes: (5) Senators Coggs, Wirch, Lehman, A. Lasee
and Grothman.

Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,
Ayes 5, Noes 0

Moved by Senator Coggs that **Senate Bill 349** be recommended
for passage as amended.

Ayes: (5) Senators Coggs, Wirch, Lehman, A. Lasee
and Grothman.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0



Adam Plotkin
Committee Clerk



Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Senate Bill 349

Relating to: the employment of minors 12 years of age or older by nonprofit organizations in and around the homes of elderly persons and persons with disabilities to perform snow shoveling, lawn mowing, leaf raking, and other similar work usual to those homes.

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Appearances For

- Jeff Plale — Senator

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Christine Sinicki — Representative

Registrations Against

- None.

Registrations for Information Only

- None.

November 2, 2009 **EXECUTIVE ACTION TAKEN BY BALLOT**

Moved by Senator Coggs that **Senate Amendment 1** be recommended for adoption.

Ayes: (5) Senators Coggs, Wirch, Lehman, A. Lasee
and Grothman.

Noes: (0) None.

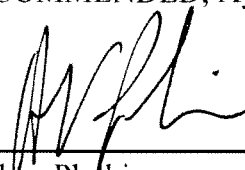
ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,
Ayes 5, Noes 0

Moved by Senator Coggs that **Senate Bill 349** be recommended
for passage as amended.

Ayes: (5) Senators Coggs, Wirch, Lehman, A. Lasee
and Grothman.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0

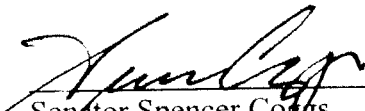
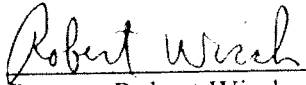
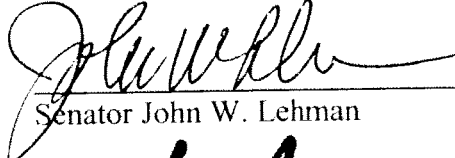




Adam Plotkin
Committee Clerk

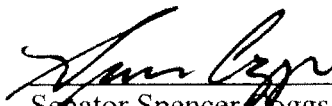
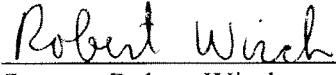


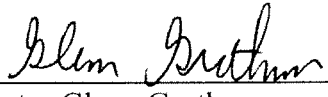
TO: Members of the Senate Committee on Labor, Elections, and Urban Affairs
FROM: Senator Spencer Coggs Chair
DATE: November 2, 2009
SUBJECT: Committee ballot on Senate Bills 183, 349 and 366.

Pursuant to Senate Rule 25 (4) (am), the committee on Labor, Elections, and Urban Affairs will vote by ballot on the motions stated below. Please review the motions and record your vote below by signing your name, inserting the date, and circling "aye" or "no." By circling "aye" you indicate your approval of the motion. Please forward this ballot to the next office listed. Thank you.


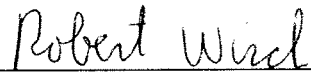


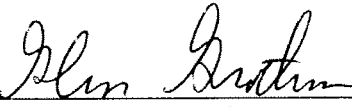
[MOTION 1] *To recommend passage of Senate Bill 183 by the committee on Labor, Elections, and Urban Affairs.*

 _____ Senator Spencer Coggs	11/2/09 _____ Date	<input checked="" type="radio"/> AYE	NO
 _____ Senator Robert Wirch	11/2/09 _____ Date	<input checked="" type="radio"/> AYE	NO
 _____ Senator John W. Lehman	11/3/09 _____ Date	<input checked="" type="radio"/> AYE	NO
 _____ Senator Alan J. Lasee	11/3/09 _____ Date	<input checked="" type="radio"/> AYE	NO
 _____ Senator Glenn Grothman	11/3/09 _____ Date	<input checked="" type="radio"/> AYE	NO

[MOTION 2] To recommend adoption of Senate Amendment 1 to Senate Bill 349 by the committee on Labor, Elections, and Urban Affairs.

 _____ Senator Spencer Coggs	<u>11/2/09</u> Date	<u>AYE</u>	NO
 _____ Senator Robert Wirch	<u>11/2/09</u> Date	<u>AYE</u>	NO
 _____ Senator John W. Lehman	<u>11/3/9</u> Date	<u>AYE</u>	NO
 _____ Senator Alan J. Lasee	<u>11/3/09</u> Date	<u>AYE</u>	NO
 _____ Senator Glenn Grothman	<u>11/3/09</u> Date	<u>AYE</u>	NO

[MOTION 3] To recommend passage as amended of Senate Bill 349 by the committee on Labor, Elections, and Urban Affairs.

 _____ Senator Spencer Coggs	<u>11/2/09</u> Date	<u>AYE</u>	NO
 _____ Senator Robert Wirch	<u>11/2/09</u> Date	<u>AYE</u>	NO
 _____ Senator John W. Lehman	<u>11/3/9</u> Date	<u>AYE</u>	NO
 _____ Senator Alan J. Lasee	<u>11/3/09</u> Date	<u>AYE</u>	NO
 _____ Senator Glenn Grothman	<u>11/3/09</u> Date	<u>AYE</u>	NO



SENATOR JEFF PLALE
SEVENTH SENATE DISTRICT

CHAIR
COMMITTEE ON COMMERCE, UTILITIES, ENERGY, AND RAIL

STATE CAPITOL
P.O. BOX 7882
MADISON, WI 53707-7882

800-361-5487 - MADISON
414-744-1444 - MILWAUKEE
SEN.PLALE@LEGIS.WISCONSIN.GOV

**Testimony of Senator Jeff Plale
Senate Bill 349
Senate Committee of Labor, Elections and Urban Affairs
October 29, 2009**

Thank you, Chairman Cogg and members of the Committee, for your consideration of Assembly Bill 483.

It was recently brought to my attention that current work permitting regulations for minors are at risk of hurting snow removal assistance programs for the elderly. Current Wisconsin law prohibits minors less than 14 years of age from working or obtaining a work permit. Although this law is subject to certain exemptions, current law would not allow minors under 14 to participate in these programs

Several area charitable organizations have had snow shoveling programs in place for a number of years. Their success has largely been due to the involvement of 12 and 13 year olds. Organizers of snow shoveling programs find that young people in this age group are more reliable, older children less likely to remain dedicated to the program.

This legislation creates a narrow exemption to work permitting regulations, allowing non-profit organizations to continue to operate successful snow shoveling programs; programs that have proven to be an asset to a number of communities. Under the bill, a minor is permitted to be employed without a work permit by a non-profit organization in and around the home of an elderly person or a person with a disability to assist with snow shoveling or yard maintenance. Minimum wage requirements must be met under this legislation and parents must provide written consent.

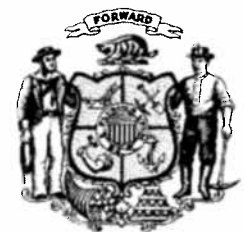
Winter will soon be upon us and we are hoping for quick passage of this legislation to ensure that elderly citizens are not left without help they have grown to depend on to get through the long winter months. Passage of Assembly Bill 483 will help continue valuable partnerships between charitable groups, youth and the elderly in communities across Wisconsin.

Thank you for your time and consideration.





WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

companion to SB 349

2009 Assembly Bill 483	Assembly Amendment 1
<i>Memo published: October 22, 2009</i>	<i>Contact: Jessica Karls-Ruplinger, Staff Attorney (266-2230)</i>

2009 Assembly Bill 483 provides that a minor 12 years of age or older may be employed by a nonprofit organization in and around the home of an elderly or disabled person *to perform snow shoveling, lawn mowing, leaf raking, or other similar work* usual to the home of the elderly or disabled person, if all of the following apply:

- The work is not in connection with or a part of the business, profession, or trade of the elderly or disabled person.
- The type of employment is not specifically prohibited by ss. 103.64 to 103.82, Stats., or by an order of the Department of Workforce Development.
- The minor is paid the applicable minimum wage under state or federal law, whichever is greater, for the work.
- The minor's parent or guardian provides the nonprofit organization with written consent for the minor to perform the work.

The bill also provides that a minor 12 years of age or older who satisfies the above requirements may be employed without a permit by a nonprofit organization in and around the home of an elderly or disabled person *in work* usual to the home of the elderly or disabled person.

Assembly Amendment 1 replaces the language "in work" in the permit provision of the bill with "to perform snow shoveling, lawn mowing, leaf raking, or other similar work" to make the language consistent in both provisions.

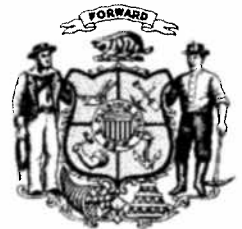
Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Labor. On October 20, 2009, the Assembly Committee on Labor recommended adoption of Assembly Amendment 1 and recommended passage of Assembly Bill 483, as amended, on votes of Ayes, 9; Noes, 0.

JKR:ksm



WISCONSIN STATE LEGISLATURE



LEUA Exec. & Hearing - 10/29/09

Exec

SB 349

- Russ reads changes from Sub 2 → 3

Hearing

SB 183

- Kreitlow testimony

AB 1142

- Shilling & Rissner testimony
 - will send written testimony later today
 - Rissner brief remarks & map handout
 - 45 states license landscape architects
- GG - usually agrees on fence me out
 - has grandfather clause
- can't still do work
 - there are many exemptions for individual use
- Shawn Kelly
 - has extensive written testimony, but doesn't read it
 - follows student progress after graduating
 - why take so long?
 - had to build support and not fence people out
- Rasheen Skyczynski
- Sam Dennis, Michael Seaman (prof, teacher)
 - UN becoming net exporter of L.A.'s
 - protect welfare of citizens

1

(2)

-Pam Linn

-has written testimony

-Brian Swingle

-was not easy to come to agreement

-understand need for level playing field w/ other states

-availability for jobs is reason for problem

-may ask to revisit bill ~~now~~ if any unintended consequences

SB 366

-SC short statement

-Hal Bergan summarizes technical aspects from testimony

-still goes through memo at length

-John Metcalf

-UI has borne brunt of economic downturn

-theme of bill is simplifying law

-fraud collection aspect is important

-big issue coming is system solvency

-expect movement in next couple of months

SB 349

-Plate has written testimony, but doesn't read it

-narrowly crafted bill

-heard in Assembly w/o objections