

**2011 DRAFTING REQUEST**

**Bill**

Received: 09/07/2011

Received By: gmalaise

Wanted: 09/08/2011

Companion to LRB:

For: Robert Wirch (608) 267-8979

By/Representing: Steve Gillitzer

May Contact:

Drafter: gmalaise

Subject: Employ Priv - minimum wage

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Wirch@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Minimum wage; raise then index to inflation

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**Instructions:**

See attached--draft companion to -2702/2

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**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>
/?	gmalaise 09/07/2011	kfollett 09/07/2011		_____			S&L
/1			phenry 09/08/2011	_____	sbasford 09/08/2011	mbarman 09/08/2011	

FE Sent For:

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at  
intro  
9-15-11

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See attached--draft companion to -2702/2

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/?	gmalaise	1/16/11 9/17	g ph	_____	_____	_____	_____

FE Sent For:

<END>

## **Malaise, Gordon**

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**From:** Gillitzer, Steven  
**Sent:** Wednesday, September 07, 2011 8:36 AM  
**To:** Malaise, Gordon  
**Subject:** Drafting request - raising the minimum wage

Good morning, Gordon. Our office has been working with Rep. Mason on his bill to raise the state's minimum wage, and we would like to have a Senate version of that bill drafted, as well. Please let me know if you have any questions. Thanks.

Steve Gillitzer  
Legislative Aide  
Office of Sen. Bob Wirch



State of Wisconsin  
2011 - 2012 LEGISLATURE



28221

LRB-2702/2  
GMM:jld:rs  
Stays

IN 9/7  
Wanted 9/8

**2011 BILL**

( Companion - No Change )

Reyer

1 AN ACT *to repeal* 104.001; *to renumber* 104.01 (1); *to renumber and amend*  
2 104.045; *to amend* 49.141 (1) (g), 103.67 (2) (fm) 3., 103.70 (2) (b) 3., 104.01  
3 (intro.), 104.01 (8), 104.05, 104.07 (1), 104.07 (2), 104.10, 104.11, 234.94 (5),  
4 234.94 (8), 800.09 (1j), 800.095 (1) (d) and 895.035 (2m) (c); and *to create* 104.01  
5 (1d), 104.01 (1g), 104.01 (5g), 104.01 (5m), 104.01 (7m), 104.035 and 104.045 (2)  
6 and (3) of the statutes; **relating to:** a state minimum wage, permitting the  
7 enactment of local living wage ordinances, extending the time limit for  
8 emergency rule procedures, providing an exemption from emergency rule  
9 procedures, providing an exemption from rule-making procedures, and  
10 requiring the exercise of rule-making authority.

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

Currently, the state minimum wage law requires that employers pay a living wage to their employees. Under that law, the Department of Workforce Development (DWD) has provided, by rule, minimum wages for various types of employees, including employees, generally; minor employees; opportunity employees, which are defined as employees under 20 years of age in their first 90 days of employment with

**BILL**

a particular employer; tipped employees; agricultural employees; camp counselors; golf caddies; students employed at independent colleges and universities for less than 20 hours per week; student learners employed in bona fide school training programs; and individuals who are unable to earn the standard minimum wage because of a disability. DWD has exempted, by rule, from the minimum wage law employees who perform less than 15 hours per week of casual employment, such as baby-sitting or lawn mowing, in and around an employer's home; employees who provide companionship services to elderly or infirm individuals; and elementary and secondary school students performing work-like activities in their schools. DWD has also promulgated rules providing allowances against the minimum wage for employers that provide meals or lodging for their employees.

Under this bill, DWD will continue to provide the exemptions listed above and separate minimum wages for students employed at independent colleges and universities for less than 20 hours per week, student learners employed in bona fide school training programs, and individuals who are unable to earn the standard minimum wages because of a disability. For other employees, however, the bill sets the minimum wages as follows:

Employees generally

Current minimum wage	\$7.25 per hour
Minimum wage on effective date	\$7.60 per hour

Minor employees

Current minimum wage	\$7.25 per hour
Minimum wage on effective date	\$7.25 per hour

Opportunity employees

Current minimum wage	\$5.90 per hour
Minimum wage on effective date	\$6.90 per hour

Tipped employees

Current minimum wage	\$2.33 per hour for nonopportunity employees \$2.13 per hour for opportunity employees
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**BILL**

Minimum wage on effective date	\$2.75 per hour for nonopportunity employees \$2.50 per hour for opportunity employees
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Agricultural employees

Current minimum wage	\$7.25 per hour
Minimum wage on effective date	\$7.25 per hour

Camp counselors

Current minimum wage	\$350 per week if meals and lodging not furnished \$265 per week if meals, but not lodging, furnished \$210 per week if meals and lodging furnished
Minimum wage on effective date	\$350 per week if meals and lodging not furnished \$265 per week if meals, but not lodging, furnished \$210 per week if meals and lodging furnished

Golf caddies

Current minimum wage	\$10.50 for 18 holes \$5.90 for 9 holes
Minimum wage on effective date	\$12.30 for 18 holes \$6.90 for 9 holes

The bill also increases the allowance against the minimum wage that an employer who provides room and board for an employee may take, as follows:

Employees generally

Lodging	
Current allowance	\$58 per week or \$8.30 per day

**BILL**

Allowance on effective date \$61 per week or \$8.65 per day

## Meals

Current allowance \$87 per week or \$4.15 per meal

Allowance on effective date \$91 per week or \$4.35 per meal

Minor employees

## Lodging

Current allowance \$58 per week or \$8.30 per day

Allowance on effective date \$58 per week or \$8.30 per day

## Meals

Current allowance \$87 per week or \$4.15 per meal

Allowance on effective date \$87 per week or \$4.15 per meal

Opportunity employees

## Lodging

Current allowance \$47.20 per week or \$6.75 per day

Allowance on effective date \$55.20 per week or \$7.90 per day

## Meals

Current allowance \$70.80 per week or \$3.35 per meal

Allowance on effective date \$82.85 per week or \$3.90 per meal



**BILL***Agricultural employees*

## Lodging

Current allowance	\$58 per week or \$8.30 per day
Allowance on effective date	\$58 per week or \$8.30 per day

## Meals

Current allowance	\$87 per week or \$4.15 per meal
Allowance on effective date	\$87 per week or \$4.15 per meal

Beginning on May 1, 2012, the bill requires DWD annually to promulgate rules revising the minimum wages and allowances for meals and lodging established under the bill by determining the percentage difference between the consumer price index for the preceding year and the consumer price index for the current year, adjusting the minimum wages and allowances in effect on April 30 of the current year by that percentage difference, and rounding that result to the nearest multiple of five cents or, in the case of a camp counselor, the nearest dollar. This requirement does not apply, however, if the consumer price index for the current year has not increased over the consumer price index for the preceding year.

Finally, current law prohibits a city, village, town, or county from enacting and administering an ordinance establishing a living wage. This bill eliminates that prohibition.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1           **SECTION 1.** 49.141 (1) (g) of the statutes is amended to read:
- 2           49.141 (1) (g) “Minimum wage” means the state minimum hourly wage under
- 3 ~~ch. 104 s. 104.035 (1)~~ or the federal minimum hourly wage under 29 USC 206 (a) (1),
- 4 whichever is applicable.
- 5           **SECTION 2.** 103.67 (2) (fm) 3. of the statutes is amended to read:

**BILL**

1           103.67 (2) (fm) 3. The minor is paid the applicable minimum wage under ~~ch.~~  
2 ~~104 s. 104.035~~ or under federal law, whichever is greater, for the work.

3           **SECTION 3.** 103.70 (2) (b) 3. of the statutes is amended to read:

4           103.70 (2) (b) 3. The minor is paid the applicable minimum wage under ~~ch. 104~~  
5 ~~s. 104.035~~ or under federal law, whichever is greater, for the work.

6           **SECTION 4.** 104.001 of the statutes, as affected by 2011 Wisconsin Act 32, is  
7 repealed.

8           **SECTION 5.** 104.01 (intro.) of the statutes is amended to read:

9           **104.01 Definitions.** (intro.) ~~The following terms as used in~~ In this chapter  
10 ~~shall be construed as follows:~~

11           **SECTION 6.** 104.01 (1) of the statutes is renumbered 104.01 (1m).

12           **SECTION 7.** 104.01 (1d) of the statutes is created to read:

13           104.01 (1d) “Agricultural employee” means an employee who is employed in  
14 farming, as defined in s. 102.04 (3).

15           **SECTION 8.** 104.01 (1g) of the statutes is created to read:

16           104.01 (1g) “Consumer price index” means the average of the consumer price  
17 index over each 12-month period for all urban consumers, U.S. city average, as  
18 determined by the bureau of labor statistics of the U.S. department of labor.

19           **SECTION 9.** 104.01 (5g) of the statutes is created to read:

20           104.01 (5g) “Minor employee” means a minor who is paid at the applicable  
21 minimum wage rate for minors.

22           **SECTION 10.** 104.01 (5m) of the statutes is created to read:

23           104.01 (5m) “Opportunity employee” means a person under 20 years of age who  
24 is in the first 90 consecutive days of employment with his or her employer.

25           **SECTION 11.** 104.01 (7m) of the statutes is created to read:

**BILL**

1           104.01 (7m) “Tipped employee” means an employee who in the course of  
2 employment customarily and regularly receives money or other gratuities from  
3 persons other than the employee’s employer.

4           **SECTION 12.** 104.01 (8) of the statutes is amended to read:

5           104.01 (8) ~~The term “wage” and the term “wages” shall each mean~~ “Wage”  
6 means any compensation for labor measured by time, piece, or otherwise.

7           **SECTION 13.** 104.035 of the statutes is created to read:

8           **104.035 Minimum wage. (1) EMPLOYEES GENERALLY. (a) Minimum rates.**

9 Except as provided in subs. (2) to (8), the minimum wage is as follows:

10           1. For wages earned before May 1, 2012, \$7.60 per hour.

11           2. For wages earned beginning on May 1, 2012, the amount determined by the  
12 department by rule promulgated under sub. (9).

13           (b) *Allowances for meals and lodging.* Except as provided in subs. (2) (b) and  
14 (4) (b), if an employer furnishes an employee with meals or lodging in accordance  
15 with rules promulgated by the department under s. 104.045 (2), the employer may  
16 deduct the following amounts from the wages of the employee:

17           1. For lodging furnished before May 1, 2012, \$61 per week or \$8.65 per day and  
18 for meals furnished before May 1, 2012, \$91 per week or \$4.35 per meal.

19           2. For meals and lodging furnished beginning on May 1, 2012, the amounts  
20 determined by the department by rule promulgated under sub. (9).

21           **(2) MINOR EMPLOYEES. (a) Minimum rates.** Except as provided in subs. (2m)  
22 to (8), the minimum wage for a minor employee is as follows:

23           1. For wages earned before May 1, 2012, \$7.25 per hour.

24           2. For wages earned beginning on May 1, 2012, the amount determined by the  
25 department by rule promulgated under sub. (9).

**BILL**

1           (b) *Allowances for meals and lodging.* Except as provided in sub. (4) (b), if an  
2 employer furnishes a minor employee or an opportunity employee with meals or  
3 lodging in accordance with rules promulgated by the department under s. 104.045  
4 (2), the employer may deduct the following amounts from the wages of the employee:

5           1. For lodging furnished before May 1, 2012, \$58 per week or \$8.30 per day and  
6 for meals furnished before May 1, 2012, \$87 per week or \$4.15 per meal.

7           2. For meals and lodging furnished beginning on May 1, 2012, the amounts  
8 determined by the department by rule promulgated under sub. (9).

9           **(2m) OPPORTUNITY EMPLOYEES.** (a) *Minimum rates.* Except as provided in subs.  
10 (3) to (8), the minimum wage for an opportunity employee is as follows:

11           1. For wages earned before May 1, 2012, \$6.90 per hour.

12           2. For wages earned beginning on May 1, 2012, the amount determined by the  
13 department by rule promulgated under sub. (9).

14           (b) *Allowances for meals and lodging.* Except as provided in sub. (4) (b), if an  
15 employer furnishes an opportunity employee with meals or lodging in accordance  
16 with rules promulgated by the department under s. 104.045 (2), the employer may  
17 deduct the following amounts from the wages of the employee:

18           1. For lodging furnished before May 1, 2012, \$55.20 per week or \$7.90 per day  
19 and for meals furnished before May 1, 2012, \$82.85 per week or \$3.90 per meal.

20           2. For meals and lodging furnished beginning on May 1, 2012, the amounts  
21 determined by the department by rule promulgated under sub. (9).

22           **(3) TIPPED EMPLOYEES.** (a) *Minimum rates.* Except as provided in subs. (4) to  
23 (8), if an employer of a tipped employee establishes by the employer's payroll records  
24 that, when adding the tips received by the tipped employee in a week to the wages  
25 paid to the tipped employee in that week, the tipped employee receives not less than

**BILL**

1 the applicable minimum wage specified in sub. (1) or (2), the minimum wage for the  
2 tipped employee is as follows:

3 1. For wages earned before May 1, 2012, by a tipped employee who is not an  
4 opportunity employee, \$2.75 per hour.

5 2. For wages earned before May 1, 2012, by a tipped employee who is an  
6 opportunity employee, \$2.50 per hour.

7 3. For wages earned beginning on May 1, 2012, the amounts determined by the  
8 department by rule promulgated under sub. (9).

9 (b) *Allowances for meals and lodging.* If an employer furnishes a tipped  
10 employee with meals or lodging in accordance with rules promulgated by the  
11 department under s. 104.045 (2), the employer may deduct the applicable amounts  
12 specified in sub. (1) (b) or (2) (b) from the wages of the tipped employee.

13 **(4) AGRICULTURAL EMPLOYEES.** (a) *Minimum rates.* Except as provided in subs.  
14 (7) and (8), the minimum wage for an agricultural employee is as follows:

15 1. For wages earned before May 1, 2012, \$7.25 per hour.

16 2. For wages earned beginning on May 1, 2012, the amounts determined by the  
17 department by rule promulgated under sub. (9).

18 (b) *Allowances for meals and lodging.* If an employer furnishes an agricultural  
19 employee with meals or lodging in accordance with rules promulgated by the  
20 department under s. 104.045 (2), the employer may deduct the following amounts  
21 from the wages of the employee:

22 1. For lodging furnished before May 1, 2012, \$58 per week or \$8.30 per day and  
23 for meals furnished before May 1, 2012, \$87 per week or \$4.15 per meal.

24 2. For meals and lodging furnished beginning on May 1, 2012, the amounts  
25 determined by the department by rule promulgated under sub. (9).

**BILL**

1           **(5) CAMP COUNSELORS.** The minimum wage for a counselor at a seasonal  
2 recreational or educational camp, including a day camp, is as follows:

3           (a) For wages earned before May 1, 2012, \$350 per week if meals and lodging  
4 are not furnished, \$265 per week if only meals are furnished, and \$210 per week if  
5 both meals and lodging are furnished.

6           (b) For wages earned beginning on May 1, 2012, the amounts determined by  
7 the department by rule promulgated under sub. (9).

8           **(6) GOLF CADDIES.** The minimum wage for a golf caddy is as follows:

9           (a) For wages earned before May 1, 2012, \$12.30 for caddying 18 holes.

10          (b) For wages earned before May 1, 2012, \$6.90 for caddying 9 holes.

11          (c) For wages earned beginning on May 1, 2012, the amounts determined by  
12 the department by rule promulgated under sub. (9).

13          **(7) MINIMUM WAGE ESTABLISHED BY DEPARTMENT.** The department shall  
14 promulgate rules providing the minimum wage for all of the following:

15          (a) An employee or worker with a disability covered under a license under s.  
16 104.07.

17          (b) A student learner.

18          (c) A student employed by an independent college or university for less than  
19 20 hours per week.

20          **(8) EMPLOYMENT EXEMPTED BY DEPARTMENT.** The department shall promulgate  
21 rules exempting from the minimum wage requirements under subs. (1) to (7) all of  
22 the following:

23          (a) A person engaged in casual employment in and around an employer's home  
24 on an irregular or intermittent basis for not more than 15 hours per week.

**BILL**

1 (b) A person who resides in the home of an employer who, due to advanced age  
2 or physical or mental disability, cannot care for his or her own needs, for the purpose  
3 of companionship and who spends not more than 15 hours per week on general  
4 household work for the employer.

5 (c) An elementary or secondary school student performing student work-like  
6 activities in the student's school.

7 **(9) DEPARTMENT TO REVISE.** (a) Subject to pars. (b) and (c), by May 1 of each year,  
8 the department, using the procedures under s. 227.24, shall promulgate rules to  
9 revise the minimum wages and allowances for meals and lodging established under  
10 subs. (1) to (7). The department shall determine those revised minimum wages and  
11 allowances by calculating the percentage difference between the consumer price  
12 index for the 12-month period ending on January 31 of the preceding year and the  
13 consumer price index for the 12-month period ending on January 31 of the current  
14 year, adjusting the minimum wages and allowances in effect on April 30 of the  
15 current year by that percentage difference, and rounding that result to the nearest  
16 multiple of 5 cents, except that, for a minimum wage under sub. (5), the department  
17 shall round the result to the nearest dollar. Notwithstanding s. 227.24 (1) (a), (2) (b),  
18 and (3), the department may promulgate an emergency rule under s. 227.24 revising  
19 the minimum wages and allowances established under subs. (1) to (7) without  
20 providing evidence that the emergency rule is necessary to preserve the public peace,  
21 health, safety, or welfare and without a finding of emergency. A revised minimum  
22 wage or allowance determined under this paragraph shall first apply to wages  
23 earned or meals or lodging furnished on May 1 of the year in which the wage or  
24 allowance is revised.

**BILL****SECTION 13**

1 (b) Paragraph (a) does not apply if the consumer price index for the 12-month  
2 period ending on January 31 of the current year has not increased over the consumer  
3 price index for the 12-month period ending on January 31 of the preceding year.

4 (c) Paragraph (a) does not preclude the department from promulgating rules  
5 to increase a minimum wage provided under subs. (1) to (7).

6 **SECTION 14.** 104.045 of the statutes is renumbered 104.045 (intro.) and  
7 amended to read:

8 **104.045 ~~Tipped employees~~ Tips, meals, lodging, and hours worked.**  
9 (intro.) The department shall ~~by rule determine what amount of~~ promulgate rules  
10 governing all of the following:

11 **(1) The counting of tips** or similar gratuities ~~may be counted~~ toward fulfillment  
12 of the employer's obligation under this chapter.

13 **SECTION 15.** 104.045 (2) and (3) of the statutes are created to read:

14 104.045 **(2)** The deduction of meals or lodging provided by an employer to an  
15 employee from the employer's obligation under this chapter.

16 **(3)** The determination of hours worked by an employee during which the  
17 employee is entitled to a living wage under this chapter.

18 **SECTION 16.** 104.05 of the statutes is amended to read:

19 **104.05 ~~Complaints; investigation.~~ Complaints; investigation.** ~~The department shall, within~~ Within 20  
20 days after the filing of a verified complaint of any person ~~setting forth~~ alleging that  
21 the wages paid to any employee in any occupation are not sufficient to enable the  
22 employee to maintain himself or herself under conditions consistent with his or her  
23 welfare, the department shall investigate and determine whether there is  
24 reasonable cause to believe that the wage paid to any employee is not a living wage.

25 **SECTION 17.** 104.07 (1) of the statutes is amended to read:



**BILL**

1           104.07 (1) The department shall ~~make~~ promulgate rules, and, except as  
2 provided under subs. (5) and (6), grant licenses to any employer who employs any  
3 employee who is unable to earn the living wage determined by the department,  
4 permitting the employee to work for a wage that is commensurate with the  
5 employee's ability. Each license so granted shall establish a wage for the ~~licensee~~  
6 employees of the licensee who are unable to earn a living wage.

7           **SECTION 18.** 104.07 (2) of the statutes is amended to read:

8           104.07 (2) The department shall ~~make~~ promulgate rules, and, except as  
9 provided under subs. (5) and (6), grant licenses to sheltered workshops, to permit the  
10 employment of workers with disabilities who are unable to earn the living wage at  
11 a wage that is commensurate with their ability and productivity. A license granted  
12 to a sheltered workshop under this subsection may be issued for the entire workshop  
13 or a department of the workshop.

14           **SECTION 19.** 104.10 of the statutes is amended to read:

15           **104.10 Penalty for intimidating witness.** Any employer who discharges or  
16 threatens to discharge, or who in any way discriminates, or threatens to discriminate  
17 against, any employee because the employee has testified or is about to testify, or  
18 because the employer believes that the employee may testify, in any investigation or  
19 proceeding relative to the enforcement of this chapter, ~~is guilty of a misdemeanor,~~  
20 ~~and upon conviction thereof shall be punished by a fine of~~ may be fined \$25 for each  
21 offense.

22           **SECTION 20.** 104.11 of the statutes is amended to read:

23           **104.11 Definition of violation.** Each day during which any employer ~~shall~~  
24 ~~employ~~ employs a person for whom a living wage has been fixed at a wage that is less

**BILL**

1 than the living wage fixed shall constitute a separate and distinct violation of this  
2 chapter.

3 **SECTION 21.** 234.94 (5) of the statutes is amended to read:

4 234.94 (5) "Primary employment" means work ~~which~~ that pays at least the  
5 minimum wage as established under ~~ch. 104 s. 104.035 (1)~~ or under federal law,  
6 whichever is greater, offers adequate fringe benefits, including health insurance,  
7 and is not seasonal or part time.

8 **SECTION 22.** 234.94 (8) of the statutes is amended to read:

9 234.94 (8) "Target group" means a population group for which the  
10 unemployment level is at least 25% higher than the statewide unemployment level,  
11 or a population group for which the average wage received is less than 1.2 times the  
12 minimum wage as established under ~~ch. 104 s. 104.035 (1)~~ or under federal law,  
13 whichever is greater. No population group is required to be located within a  
14 contiguous geographic area to be considered a target group.

15 **SECTION 23.** 800.09 (1j) of the statutes is amended to read:

16 800.09 (1j) If the court orders the defendant to perform community service  
17 work in lieu of making restitution or of paying the forfeiture, surcharges, fees and  
18 costs, or both, the court may order that the defendant perform community service  
19 work for a public agency or a nonprofit charitable organization that is approved by  
20 the court and agreed to by the public agency or nonprofit charitable organization.  
21 Community service work may be in lieu of restitution only if also agreed to by the  
22 person to whom restitution is owed. The number of hours of community service work  
23 required may not exceed the number determined by dividing the amount owed on the  
24 forfeiture by the minimum wage established under ~~ch. 104 for adults in~~  
25 ~~nonagriculture, nontipped employment~~ s. 104.035 (1). The court shall ensure that

**BILL**

1 the defendant is provided a written statement of the terms of the community service  
2 order and that the community service order is monitored.

3 **SECTION 24.** 800.095 (1) (d) of the statutes is amended to read:

4 800.095 (1) (d) That the defendant perform community service work for a  
5 public agency or nonprofit charitable organization approved by the court and agreed  
6 to by the agency or nonprofit charitable organization. If the community service work  
7 is in lieu of restitution, then the person to whom restitution is owed must agree; the  
8 defendant shall be given credit at the rate of not less than the minimum wage  
9 established under ~~ch. 104 for adults in nonagriculture, nontipped employment s.~~  
10 104.035 (1) for each one hour of community service completed. The defendant shall  
11 be given a written statement of the community service order. Nothing in this  
12 paragraph makes the defendant an employee or agent of the court or the  
13 municipality. The defendant shall be responsible for providing the court with proof  
14 that the community service hours have been completed.

15 **SECTION 25.** 895.035 (2m) (c) of the statutes is amended to read:

16 895.035 (2m) (c) The court assigned to exercise jurisdiction under chs. 48 and  
17 938 may order that the juvenile perform community service work for a public agency  
18 or nonprofit charitable organization that is designated by the court in lieu of making  
19 restitution or paying the forfeiture or surcharge. If the parent agrees to perform  
20 community service work in lieu of making restitution or paying the forfeiture or  
21 surcharge, the court may order that the parent perform community service work for  
22 a public agency or a nonprofit charitable organization that is designated by the court.  
23 Community service work may be in lieu of restitution only if also agreed to by the  
24 public agency or nonprofit charitable organization and by the person to whom  
25 restitution is owed. The court may utilize any available resources, including any

**BILL****SECTION 25**

1 community service work program, in ordering the juvenile or parent to perform  
2 community service work. The number of hours of community service work required  
3 may not exceed the number determined by dividing the amount owed on the  
4 restitution, forfeiture, or surcharge by the minimum wage established under ~~ch. 104~~  
5 ~~for adults in nonagriculture, nontipped employment~~ s. 104.035 (1). The court shall  
6 ensure that the juvenile or parent is provided with a written statement of the terms  
7 of the community service order and that the community service order is monitored.

**SECTION 26. Effective date.**

8  
9 (1) MINIMUM WAGE. This act takes effect on the first day of the first month  
10 beginning after publication.

11 (END)

**Barman, Mike**

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**From:** McGuire, Paula  
**Sent:** Thursday, September 08, 2011 10:45 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-2822/1 Topic: Minimum wage; raise then idex to inflation

Please Jacket LRB 11-2822/1 for the SENATE.