

2017 DRAFTING REQUEST

Assembly Amendment (AA-AB25)

For: Amy Loudenbeck (608) 266-9967 Drafter: mduchek
By: Mike Secondary Drafters:
Date: 1/13/2017 May Contact:

Same as LRB:

Submit via email: YES
Requester's email: Rep.Loudenbeck@legis.wisconsin.gov
Carbon copy (CC) to: krista.pleviak@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Child labor permits - change regarding age certificates

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It lists three rows of drafting activity with names and dates.

FE Sent For: <END>



State of Wisconsin
2017 - 2018 LEGISLATURE

In 1-16
Out 1-18

LRBa0006/P1
MED: *gmm*

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL (LRB-0094/1)**

SA ✓
xref ✓
Pwf ✓

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 6, line 4: delete lines 4 to 11 and substitute:

3 “103.75 (1) The department or persons designated by the department may
4 issue certificates of age for ~~minors~~ individuals under rules the department deems
5 necessary. In issuing a certificate of age for ~~a minor~~, the department or person
6 designated by the department shall accept as evidence of the ~~minor’s~~ individual’s age
7 the evidence specified in s. 103.73 (1) (a) in the manner specified in s. 103.73 (1) (a).
8 The certificate is conclusive evidence of the age of the ~~minor~~ individual to whom
9 issued in any proceeding under any of the labor laws and under ch. 102 as to any act
10 or thing occurring subsequent to the date the certificate was issued.”

History: 1971 c. 271; 1975 c. 147 s. 54; 1979 c. 89, 177; 1999 a. 132.

11 **2.** Page 6, line 14: after “minor” insert “or as to whether an individual is a
12 minor”.

1 **3.** Page 6, line 16: delete "for the minor".

2 **4.** Page 6, line 23: delete "the minor's" and substitute "the minor's".

3 **5.** Page 7, line 6: after that line insert:

4 "**SECTION 21m.** 103.805 (2) of the statutes is amended to read:

5 ~~103.805 (2)~~ The fee for issuance of permits and certificates of age shall be paid
6 by the employer, ~~but when.~~ If the minor individual for whom the permit or certificate
7 is issued advances the fee to the permit officer, the ~~minor individual~~ shall be
8 reimbursed by the ~~minor's~~ employer not later than at the end of the ~~minor's~~ his or
9 her first pay period."

10 History: 1971 c. 271; 1993 a. 492; 2009 a. 28.

(END)

Duchek, Michael

From: Bruhn, Michael
Sent: Thursday, January 26, 2017 12:23 PM
To: Duchek, Michael
Subject: RE: Draft review: LRB a0006/P1

Yes, that would be fine. Thanks!

From: Duchek, Michael
Sent: Thursday, January 26, 2017 12:19 PM
To: Bruhn, Michael <Michael.Bruhn@legis.wisconsin.gov>
Subject: RE: Draft review: LRB a0006/P1

Sure. OK if I just add 007 to 006?

From: Bruhn, Michael
Sent: Thursday, January 26, 2017 12:17 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: FW: Draft review: LRB a0006/P1

Hi Michael,

Can you draft 006 and 007 as one draft that is ready for introduction?

Thanks!

Mike Bruhn
Rep. Loudenbeck's office

From: LRB.Legal
Sent: Wednesday, January 18, 2017 3:49 PM
To: Rep.Loudenbeck <Rep.Loudenbeck@legis.wisconsin.gov>
Subject: Draft review: LRB a0006/P1

Following is the PDF version of draft LRB a0006/P1.



State of Wisconsin
2017 - 2018 LEGISLATURE

121-26

LRBa0006/P1
MED:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY BILL (LRB-0094/1)

SA ✓
Pwf ✓

225

USA

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 6, line 4: delete lines 4 to 11 and substitute:
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- 7 the evidence specified in s. 103.73 (1) (a) in the manner specified in s. 103.73 (1) (a).
- 8 The certificate is conclusive evidence of the age of the ~~minor~~ individual to whom
- 9 issued in any proceeding under any of the labor laws and under ch. 102 as to any act
- 10 or thing occurring subsequent to the date the certificate was issued."
- 11 2. Page 6, line 14: after "minor" insert "or as to whether an individual is a
- 12 minor".

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7 is issued advances the fee to the permit officer, the ~~minor~~ individual shall be
8 reimbursed by the ~~minor's~~ employer not later than at the end of the ~~minor's~~ his or
9 her first pay period."

(END)

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"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...



DRAFTING ATTORNEYS:

PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: WED) (Date: 1, 26, 17)

Note: BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR" (exception: companion bills)



Please transfer the drafting file for
2015 LRB _____ (For: Rep. / Sen. _____)
 to the drafting file for
2017 LRB _____ (For: Rep. / Sen. _____)

- - - OR - - -

Please copy the drafting file for
2017 LRB a0007 / _____ (include the version) (For: Rep. / Sen. Lowderbeck)
 and place it in the drafting file for
2017 LRB a0006 (For: Rep. / Sen. _____)

Are These "Companion Bills" ?? ... Yes No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: _____



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa0007/P1
MED:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL (LRB-0094/1)

6
25

last

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: after that line insert:

3 **"SECTION 1m.** 102.60 (1m) (c) of the statutes is amended to read:

4 102.60 (1m) (c) An amount equal to double the amount recoverable by the
5 injured employee, but not to exceed \$15,000, if the injured employee is a minor of
6 permit age or older and at the time of the injury is employed, required, suffered, or
7 permitted to work at prohibited employment."

****NOTE: Section 102.60 provides for various levels of penalties for minors who are injured while "illegally employed." My reading is that s. 102.60 (1m) (a) covers minors who are simply employed without a permit, s. 102.60 (1m) (b) covers minors who are employed in something DWD has made non-permittable employment, s. 102.60 (1m) (c) covers minors of permit age who are employed in employment that is prohibited outright (whether with a permit or not), and s. 102.60 (1m) (d) covers minors who are under permit age entirely. It seemed to me that the only one of these that should be modified was s. 102.60 (1m) (c), because as currently worded, it assumes that "of permit age" means under 18, and there will still be certain employment that is prohibited for minors aged 16 or 17, it just won't require a permit. However, s. 102.60 (1m) (a) and (b) look like they will still work as currently worded, they just won't be triggered as much since the permit age is

