

2017 Assembly Bill 508 (LRB -4170)

An Act to repeal 106.02 and 106.025 (4); to amend 106.01 (1), 106.01 (9), 106.01 (11) (intro.), 106.025 (1) and 106.025 (2); and to create 106.015 of the statutes; relating to: apprentice-to-journeyworker ratios in apprenticeships and the minimum duration of carpentry and plumbing apprenticeships.

2017

09-20.	A.	Introduced by Representatives Hutton, Rohrkaste, Allen, Bernier, Brandtjen, E. Brooks, Felzkowski, Gannon, Horlacher, Katsma, Knodl, Kremer, Krug, Kulp, Macco, Neylon, Petersen, Sanfelippo, Spiros, Thiesfeldt, Tittl and Tusler ; cosponsored by Senators Kapenga, Craig, Darling, Feyen, Lasee, Marklein, Nass, Stroebel, Vukmir and Wanggaard	420
09-20.	A.	Read first time and referred to Committee on Workforce Development	420
10-24.	A.	Public hearing held	
10-26.	A.	Assembly Amendment 1 offered by Representative Hutton (LRB a1429)	485
11-01.	A.	Executive action taken	
11-07.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Workforce Development, Ayes 15, Noes 0	521
11-07.	A.	Report passage as amended recommended by Committee on Workforce Development, Ayes 10, Noes 5	521
11-07.	A.	Referred to committee on Rules	521
11-07.	A.	Placed on calendar 11-9-2017 by Committee on Rules	
11-09.	A.	Read a second time	547
11-09.	A.	Assembly Amendment 1 adopted	547
11-09.	A.	Ordered to a third reading	547
11-09.	A.	Rules suspended	547
11-09.	A.	Read a third time and passed , Ayes 60, Noes 33	547
11-09.	A.	Ordered immediately messaged	547
11-09.	S.	Received from Assembly	557
11-14.	S.	Read first time and referred to committee on Senate Organization	564
11-14.	S.	Available for scheduling	

2018

02-16.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	748
02-16.	S.	Placed on calendar 2-20-2018 pursuant to Senate Rule 18(1)	749
02-20.	S.	Read a second time	
02-20.	S.	Ordered to a third reading	
02-20.	S.	Rules suspended	
02-20.	S.	Read a third time and concurred in , Ayes 18, Noes 14	
02-20.	S.	Ordered immediately messaged	
02-20.	A.	Received from Senate concurred in	

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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17 470 / 1

Amendments: None or Listed below.

AA 1

Corrections: None or Listed by date below.

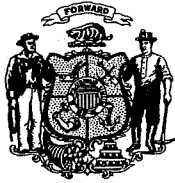
Topic: Same as relating clause or other, indicated below.

2/21/18

Date

Cosb

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4170/1
MED:klm

2017 ASSEMBLY BILL 508

September 20, 2017 - Introduced by Representatives HUTTON, ROHRKASTE, ALLEN, BERNIER, BRANDTJEN, E. BROOKS, FELZKOWSKI, GANNON, HORLACHER, KATSMA, KNODL, KREMER, KRUG, KULP, MACCO, NEYLON, PETERSEN, SANFELIPPO, SPIROS, THIESFELDT, TITTL and TUSLER, cosponsored by Senators KAPENGA, CRAIG, DARLING, FEYEN, LASEE, MARKLEIN, NASS, STROEBEL, VUKMIR and WANGGAARD. Referred to Committee on Workforce Development.

1 **AN ACT** *to repeal* 106.02 and 106.025 (4); *to amend* 106.01 (1), 106.01 (9), 106.01
2 (11) (intro.), 106.025 (1) and 106.025 (2); and *to create* 106.015 of the statutes;
3 **relating to:** apprentice-to-journeyworker ratios in apprenticeships and the
4 minimum duration of carpentry and plumbing apprenticeships.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Workforce Development administers the law concerning apprenticeship programs in this state and has various powers as necessary to perform that function. In addition, DWD must promulgate rules regarding procedures for approving and for rescinding approval of apprenticeship programs. Under DWD's current rules, in order to be eligible for approval and registration by DWD, an apprenticeship program must have standards that address a numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment, and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements.

This bill specifically prohibits DWD from prescribing, enforcing, or authorizing, through any means, a ratio of apprentices to journeyworkers for apprenticeship programs or apprentice contracts that requires more than one journeyworker for each apprentice.

ASSEMBLY BILL 508

The bill also repeals certain provisions regarding minimum terms for carpentry and plumbing apprenticeships.

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

1 **SECTION 1.** 106.01 (1) of the statutes is amended to read:

2 106.01 (1) FORMATION OF APPRENTICE CONTRACT. Any person 16 years of age or
3 over may enter into an apprentice contract binding himself or herself to serve as an
4 apprentice as provided in this section. ~~Except as provided in ss. 106.02 and 106.025,~~
5 ~~the~~ The term of service of an apprenticeship shall be for not less than one year. Every
6 apprentice contract shall be in writing and shall be signed by the apprentice, the
7 department, and the sponsor or an apprenticeship committee acting as the agent of
8 the sponsor. If the apprentice has not reached 18 years of age, the apprentice contract
9 shall also be signed by one of the apprentice's parents or, if both parents are deceased
10 or legally incapable of giving consent, by the guardian of the apprentice or, if there
11 is no guardian, by a deputy of the department. The department shall specify the
12 provisions that are required to be included in an apprentice contract by rule
13 promulgated under sub. (11).

14 **SECTION 2.** 106.01 (9) of the statutes is amended to read:

15 106.01 (9) AUTHORITY OF DEPARTMENT. The department, subject to s. 106.015,
16 may investigate, fix reasonable classifications, issue rules and general or special
17 orders, and hold hearings, make findings, and render orders upon its findings as
18 necessary to carry out the intent and purposes of this section. The investigations,
19 classifications, hearings, findings, and orders shall be made as provided in s.
20 103.005. Except as provided in sub. (8), the penalties specified in s. 103.005 (12)

ASSEMBLY BILL 508

1 apply to violations of this section. Orders issued under this subsection are subject
2 to review under ch. 227.

3 **SECTION 3.** 106.01 (11) (intro.) of the statutes is amended to read:

4 106.01 (11) RULES. (intro.) The department, subject to s. 106.015, shall
5 promulgate rules to implement this section, including rules providing for all of the
6 following:

7 **SECTION 4.** 106.015 of the statutes is created to read:

8 **106.015 Apprentice-to-journeyworker ratios.** The department may not
9 prescribe, enforce, or authorize, whether through the promulgation of a rule, the
10 issuance of a general or special order, the approval of an apprenticeship program or
11 apprentice contract, or otherwise, a ratio of apprentices to journeyworkers for
12 apprenticeship programs or apprentice contracts that requires more than one
13 journeyworker for each apprentice.

(B) (1) EXCEPT AS PROVIDED IN SUB. (2)

14 **SECTION 5.** 106.02 of the statutes is repealed.

15 **SECTION 6.** 106.025 (1) of the statutes is amended to read:

16 106.025 (1) The department may prescribe the conditions under which a
17 person may serve a plumbing apprenticeship, as to preliminary and technical college
18 attendance requirements, level of supervision of an apprentice, the character of
19 plumbing work, *in accordance with ch. 145* and the credit for school attendance in serving the apprenticeship.

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20 **SECTION 7.** 106.025 (2) of the statutes is amended to read:

21 106.025 (2) Every person commencing a plumbing apprenticeship shall enter
22 into an apprentice contract under s. 106.01. ~~The term of a plumbing apprentice is~~
23 ~~5 years, but the department may upon application of the apprentice, the apprentice's~~
24 ~~employer, or both, extend the term for up to one additional year.~~

25 **SECTION 8.** 106.025 (4) of the statutes is repealed.

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ASSEMBLY BILL 508

SECTION 9

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SECTION 9. Initial applicability.

(1) This act first applies to an apprenticeship contract governed by a collective bargaining agreement that contains provisions that are inconsistent with this act on the day on which the collective bargaining agreement expires or is modified, extended, or renewed, whichever occurs first.

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(END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1429/1
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ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 508

October 25, 2017 - Offered by Representative HUTTON.

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

2 **1.** Page 3, line 8: delete "The department" and substitute "(1) Except as
3 provided in sub. (2), the department".

4 **2.** Page 3, line 13: after that line insert:

5 **"(2)** The prohibition under sub. (1) does not apply with respect to apprentices
6 whose employment is governed by a collective bargaining agreement".

7 **3.** Page 3, line 19: after "work" insert "in accordance with ch. 145".

8 **4.** Page 4, line 1: delete lines 1 to 5.

9 (END)

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