



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Senate Bill 11

**Senate
Amendment 1**

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Senate Amendment 1 (“the amendment”) to 2017 Senate Bill 11 (“the bill”) makes changes to provisions in current law and the bill regarding Worker’s Compensation and certificates of age issued by the Department of Workforce Development (DWD).

WORKER’S COMPENSATION

Current law provides that, if a “minor of permit age” who is working in a prohibited occupation is injured, the minor’s employer must pay a penalty to the Work Injury Supplemental Benefit Fund in an amount equal to double the amount recoverable by the injured employee, up to \$15,000.

Under current law, the term “minor of permit age” includes any person under 18 years of age.

The Bill

The bill eliminates the requirement for minors 16 years of age or older to obtain a child labor permit. Therefore, under the bill, the term “minor of permit age” includes only a person under 16 years of age. As a result, an employer is only required to make the penalty payment described above if the employee is under 16 years of age.

The Amendment

Under the amendment, an employer is required to make the penalty payment described above if the employee is a minor.

CERTIFICATES OF AGE

Current law authorizes DWD to issue minors certificates of age, which may be used as conclusive evidence of the age of a minor in any labor law proceeding.

The Bill

The bill amends current law to provide that DWD may issue certificates of age to minors under 16 years of age.

The Amendment

The amendment removes the provisions in the bill related to certificates of age, and it instead provides that DWD may issue certificates of age to “individuals,” which includes minors and adults.

BILL HISTORY

Senate Amendment 1 was offered by Senator Kapenga on February 16, 2017. On April 25, 2017, the Senate Committee on Public Benefits, Licensing and State-Federal Relations recommended adoption of the amendment on a vote of Ayes, 5; Noes, 0. On the same day, the committee recommended passage of the bill, as amended, on a vote of Ayes, 3; Noes, 2.

AB:jal