

2019 DRAFTING REQUEST

Bill

For: **JoCasta Zamarripa (608) 267-7669** Drafter: **mmcgreev**
 By: **Justin** Secondary Drafters:
 Date: **12/30/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Zamarripa@legis.wisconsin.gov**
 Carbon copy (CC) to: **MaryAlice.McGreevy@legis.wisconsin.gov**
krista.pleviak@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Overtime and holiday pay for movie theater employees

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mmcgreev 1/6/2020	kfollett 1/8/2020			
/P1			mbarman 1/8/2020		State
/1			lparisi 2/7/2020	lparisi 2/7/2020	State

FE Sent For:

<END>

→ At Intro.

McGreevy, Mary Alice

From: Champagne, Rick
Sent: Friday, December 27, 2019 11:13 AM
To: McGreevy, Mary Alice; Pleviak, Krista; Duchek, Michael; Knepp, Fern
Subject: FW: Bill for Rep Zamarripa

From: Koestler, Justin <Justin.Koestler@legis.wisconsin.gov>
Sent: Friday, December 27, 2019 11:07 AM
To: Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>
Cc: Flaherty, Colleen <Colleen.Flaherty@legis.wisconsin.gov>
Subject: Bill for Rep Zamarripa

Hi Rick,

Rep Zamarripa would like to draft a couple bills that removes the overtime and holiday pay exemptions for "Employees employed in any motion picture theater."

The first bill should remove the overtime and holiday pay exemption. We would only like Christmas Day and Thanksgiving carved as the designated holidays.

The second bill should remove the overtime and holiday pay exemption. We would like all state holidays carved out for holiday pay.

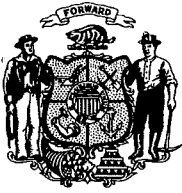
DWD 274.04

https://docs.legis.wisconsin.gov/code/admin_code/dwd/270_279/274/04/10?view=section

Happy Holidays!

Justin

Justin Koestler, MBA
Office of Rep. JoCasta Zamarripa
8th Assembly District
P.O. Box 8953
Madison, WI 53708-8953
P: (608) 267-7669
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 1/06
WE 2/08

Senat

1 AN ACT...; **relating to:** overtime pay for individuals employed at motion picture
2 theaters.

Analysis by the Legislative Reference Bureau

Under current administrative rules promulgated by the Department of Workforce Development, employees of motion picture theaters are exempt from being paid overtime rates. This bill requires employers of employees in motion picture theaters to pay those employees overtime pay and to pay those employees overtime pay on Thanksgiving and Christmas Day.

For further information see the *state* 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:

3

SECTION 1. 103.02 of the statutes is renumbered s. 103.02 (1) and amended to read:

4

5

103.02 (1) No person may be employed or be permitted allowed to work in any place of employment or at any employment for such any period of time during any

6

1 day, night, or week, as that is dangerous or prejudicial to the person's life, health,
2 safety, or welfare.

3 (2) The department shall investigate, ascertain, determine, and fix such
4 reasonable ~~classification~~ classifications, and promulgate rules fixing a period of
5 time, or hours of beginning and ending work during any day, night, or week, which
6 shall that may be necessary to protect the life, health, safety, or welfare of any person,
7 or to carry out the purposes of ss. 103.01 to 103.03. The department shall, by rule,
8 classify such periods of time into periods to be paid for at regular rates and periods
9 to be paid for at the rate of at least ~~one and one-half~~ 1.5 times the regular rates. Such
10 investigations, classifications, rules, and orders shall be made as provided in s.
11 103.005 and the penalties under s. 103.005 (12) (a) shall apply to and be imposed for
12 any violation of ss. 103.01 to 103.03. Such orders shall be are subject to review in the
13 manner provided in ch. 227. Section 111.322 (2m) applies to discharge or other
14 discriminatory acts arising in connection with any proceeding under this section.

History: 1971 c. 228 s. 43; 1975 c. 94; 1989 a. 228; 1995 a. 27.

Cross-reference: See also ch. DWD 274, Wis. adm. code.

15 SECTION 2. 103.02 (3) of the statutes is created to read:

16 103.02 (3) (a) In this subsection, "motion picture theater" has the meaning
17 given in s. 943.49 (1) (a).

18 (b) In promulgating rules under sub. (2), the department shall require that
19 employees employed at motion picture theaters be paid at the rate of at least 1.5
20 times the regular rates for all hours worked in excess of 40 hours per week, and for
21 any hours worked on December 25 and the 4th Thursday in November.

22 (END)

Parisi, Lori

From: McGreevy, Mary Alice
Sent: Friday, February 07, 2020 12:12 PM
To: Parisi, Lori
Subject: RE: Draft review: LRB -5220/P1

Hi Lori,

I just did it –

Thanks,

M.A.

From: Parisi, Lori <Lori.Parisi@legis.wisconsin.gov>
Sent: Friday, February 7, 2020 12:04 PM
To: McGreevy, Mary Alice <MaryAlice.McGreevy@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -5220/P1

Hi Mary Alice, Please see below. Could you convert to /1 so we may jacket?

Thanks much ☺

Lori Parisi
Senior Program Assistant
State of WI Legislative Reference Bureau
(608)504-5801

The foolish man seeks happiness in the distance;
the wise grows it under his feet.
- J. Robert Oppenheimer

From: Koestler, Justin <Justin.Koestler@legis.wisconsin.gov>
Sent: Friday, February 07, 2020 12:02 PM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -5220/P1

Please jacket for introduction. Thanks!

Justin Koestler, MBA
Office of Rep. JoCasta Zamarripa
8th Assembly District
P.O. Box 8953
Madison, WI 53708-8953
P: (608) 267-7669
[Follow Rep Zamarripa on Twitter](#)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5220/BI
MIM:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No
Change

1 **AN ACT** *to renumber and amend* 103.02; and *to create* 103.02 (3) of the
2 statutes; **relating to:** overtime pay for individuals employed at motion picture
3 theaters.

Analysis by the Legislative Reference Bureau

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4 **SECTION 1.** 103.02 of the statutes is renumbered 103.02 (1) and amended to
5 read:

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7 place of employment or at any employment for ~~such~~ any period of time during any

1 day, night, or week, ~~as that~~ is dangerous or prejudicial to the person's life, health,
2 safety, or welfare.

3 **(2)** The department shall investigate, ascertain, determine, and fix such
4 reasonable ~~classification~~ classifications, and promulgate rules fixing a period of
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20 times the regular rates for all hours worked in excess of 40 hours per week, and for
21 any hours worked on the 4th Thursday in November and December 25th.

22 (END)