Jeremy Thiesfeldt
STATE REPRESENTATIVE • 52nd ASSEMBLY DISTRICT

*(**Anything** in italics is an update from the prior update.)*

You will also note that there are 3 bills in the "Victory" section (page 12) that were signed into law!

December 19, 2013

Updates:

Food Preparation Protection (Assembly Bill 550)

I am introducing LRB-3587 (now AB 550) which creates uniformity throughout Wisconsin in regards to certification of food protection practices (FPP). This bill will likely reduce the number of foodborne illness outbreaks in Wisconsin. A law with similar requirements helped to reduce the number of foodborne illness outbreaks in Florida by 90% over a decade. It will also encourage more restaurant managers and assistant managers to become certified in food safety best practices as it removes onerous requirements with regards to recertification.

Current law states that the Department of Health Services may issue a FPP certificate to an individual who: 1) satisfactorily completes a written examination approved by DHS that demonstrates the individual's basic knowledge of food protection practices; or 2) has achieved comparable compliance. Current law also requires that an individual holding FPP certification who wishes to renew their certificate must do so every five years by satisfactorily completing a recertification training course approved by DHS.

This bill will clarify and improve current law by:

- *Specifying that the test for certification does not need to be a written test, but can also be taken online or verbally*
- *Requiring a test for recertification after 5 years, replacing the current requirement mandating a 3-hour training class for recertification*
- *Requiring that a certified manager be on-premise whenever a restaurant has more than 5 food handlers on duty, preparing or serving food for the public*
- *Creating an exemption for businesses with 5 or fewer food handlers on duty which will exempt most taverns, food carts, sandwich shops, and other small food service operations from the on-premise requirement*

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Requirements for Officiating at a Marriage (Assemby Bill 429)

(Co-author with Rep. Larson)

At the request of the Wisconsin County Clerks Association (WCCA), we are introducing legislation that makes two commonsense changes to the state statutes governing marriage officiants. Although Wisconsin has established a minimum age for getting married, there is currently no minimum age for officiating at a marriage ceremony. The WCCA has expressed concerns that allowing minors to officiate "erodes the institution of marriage" and "increases the likelihood of administrative errors, such as the license being improperly filled out or improperly filed, if it's filed at all." AB 429 sets the minimum age for officiants at 18.

LRB-2517 also repeals an outdated statute that requires an out-of-state member of the clergy who comes to Wisconsin to officiate at a marriage to obtain a "letter of sponsorship" from a member of the clergy of the same denomination who works in Wisconsin. However, an out-of-state officiant who is not affiliated with a religious denomination (who, for example, was ordained online, or whose denomination doesn't ordain, license, or appoint clergy) is not required to obtain a letter of sponsorship. AB 429 eliminates the bureaucratic hoop affiliated clergy must jump through.

Nomination Paper Signatures Required (No Bill Number Yet)

(Co-author Senator Gudex)

Current law requires at least 20 nomination signatures for a candidate to run for city council in a 2nd or 3rd class city. But that is only if the seat represents a district. To run for an at-large council seat, the candidate must collect at least 200 signatures. This is equal to the number of signatures needed for State Assembly, circuit court judge, county executive, or Milwaukee county supervisor or alder.

This is a high barrier to candidacy that is out of step with requirements for other offices. In order to promote participation in local government, this bill will lower the threshold for at-large council candidates from 200 signatures to 100, placing them on par with county board supervisors from mid-size counties and school districts in 2nd class cities.

For comparison, an at-large council seat in a 4th class city requires at least 50 nomination signatures. A 4th class city has up to 10,000 population. A 3rd class city is between 10,000 and 39,000, and a 2nd class city goes up to 150,000.

Eliminating Forced Influenza Vaccination Based On Network Status (No Bill Number Yet)

As you may know, I have previously submitted AB 247 that would allow for a "personal" exemption of any mandated flu vaccination that any employer may impose. Employees should not fear demotion, retaliation, or dismissal for making a personal choice to decline a mandated flu shot from their employer.

Through researching AB 247 I have also discovered that health care providers or health care systems are now refusing to affiliate with other health care providers (like chiropractors) based on their flu vaccine status. As a result of failing to meet the requirement, noncompliant health care providers will lose money because their "in-network" pool of clients will diminish.

Also, customers who choose to continue to use an out-of-network provider will face increased costs compared to those who choose a new provider to remain in-network. This bill corrects this unfair practice.

Restoring Interest Rates (Assembly Bill 523)

A Public Hearing was held in the Assembly Committee on Judiciary on Thursday, December 19th.

This legislation will restore the interest rate on judgments in small claims actions to 12%.

Sweeping legislation to limit interest rates on judgments was signed into law in 2011. The intent of the original legislation was to limit interest assessed on high dollar verdicts, but the amended final bill reduced interest on all judgments. The unintended consequence is that the law now affects judgment interest owed to small businesses, counties and collection agencies that rely on small claims court for relief in minor disputes and debt collection.

Judgments are now calculated bi-annually using the prime rate plus one percent. Keep in mind that the prime rate is usually the interest rate that commercial banks charge their most credit-worthy customers, and certainly not those that default on obligations. Prior to passage of the law, small claims judgments were assessed at 12% interest which allowed the plaintiff to be compensated for the time lapse between recovery and served as an encouragement for the defendant to pay the judgment. ***By reducing the interest rate, the cost is now shifted from the debtor to the businesses or individual that was the victim of the crime.*** *Current law gives scofflaws no incentive to the settle their outstanding debts in a timely manner.*

In addition, the current law requires the interest rate to be calculated bi-annually which has proven difficult and time-intensive to calculate. Finally, this legislation is a way to ensure a stable rate regardless of the prime rate, which has fluctuated over 50 years from the current lowest rate of 3.25% to a high of 21.50%.

Smart Meters Opt-Out (Assembly Bill 345)

Local utilities, as most any business, are looking for ways to apply modern technologies to their business models to enhance efficiency to the benefit of profit margin and customers. One of these efforts has been the implementation of "smart meters" and creating a "smart grid". While the attempts at efficiency are laudable, they are often being attempted through the mandate of the technology upon the customers. In an industry that largely possesses no competition amongst its customers, smart meters are being placed in homes that cross the line of individual rights.

This bill allows for an individual to "opt-out" of any smart meter project, but also allows the Public Service Commission (PSC) to approve reasonable rates based on manual quarterly readings to maintain the current analog equipment. This allows the utility to be able to charge those who opt-out of the smart meter technology at a rate that will cover the cost of operating the alternative.

Eight states have adopted laws or regulations that make it easier for customers to opt-out of smart-meter programs and keep old analog meters. With this proposal, nine states are considering similar measures.

A smart meter is a device that is located on the customer's premises and can in real time record and report utility consumption information typically through wireless means.

Smart meters can have the ability to collect more than just the utility data. When installed and used with compatible appliances, the devices can track if a home is occupied, if the home security system is activated, when a consumer wakes up, and goes to bed, water and air temperatures, computer usage, showering, etc. The list of potential data collection is almost endless. Rationing of utility usage is also within the scope of capability. All of this information could be potentially sold to companies desiring such consumer data and could end up in the hands of law enforcement as well. The data could also become victim to computer hackers.

This proposal is essentially a Fourth Amendment bill. When successful, it will push back future potential intrusions of the rights of citizens. People should maintain the right to control the distribution of personal information outside their home. The heart of being a consumer is having a choice—utility customers do not normally have the luxury of alternate providers. With smart meter mandates, they are resigned to sacrifice privacy for essential services.

Reporting of the Principal Place of Employment of Certain Individuals Who Make Political Contributions (Senate Bill 282 *and AB 378*)

(Co-Author Sen. Grothman)

This is a simple bill that changes the requirement that individuals who give over one hundred dollars to a political candidate in a state election must list their principal place of employment on Wisconsin campaign finance reports to individuals that give contributions over five hundred dollars. The idea for the bill was created after Wisconsin professional police, firefighters, and

various local teachers unions called for boycotting various Wisconsin businesses. These individual local businesses were boycotted solely because they had employees who contributed to Governor Walker. This bill makes sense for many reasons.

First, we must maintain Wisconsin's business climate. Obviously, Wisconsin manufacturing and other businesses are more likely to have employees contribute in political campaign than businesses from out of state or out of country. When hysterical public employee unions call for boycotts of businesses whose employees contributed to republicans they put Wisconsin businesses at a competitive disadvantage.

Second, the use of boycotts will inevitably create friction between employees and employers. It is only human nature that if an employer is boycotted because of an employee's contribution some anger or distaste may arise. It is unfortunate that groups that purport to care about employee rights use the system to create a natural state of pressure between the employer and the employee.

Third, it creates a general level of incivility in society. Traditionally, we view Wisconsinites as people who have built an easy going, civil society. This espoused hatred will eventually result in separate businesses known as "Republican" or "Democrat" – a Republican law firm and a Democrat law firm, a Republican funeral home and a Democrat funeral home, a Republican restaurant and a Democrat restaurant. I don't believe that this is the type of society that the legislature should encourage.

Finally, and most importantly, the reason for a contribution may have nothing to do with the employer anyway. While I can't speak for all elected officials in this building, the vast majority of the people who contribute to me do so for my general political beliefs, not for issues specific to their employer. To imply that the employees of a car dealership gives me money only because of where I stand on car dealer legislation or that an employee of an insurance company gives me money only because of where I stand on insurance issues is entirely false. While conduit and political action committee contributions are given for these purposes, individual contributions are not.

Personal Exemption for the Flu Vaccine (Assembly Bill 247)

The bill had a public hearing on Nov. 13 in the Assembly Committee on Health. I am currently working on an amendment that will take care of many of the members concerns.

(Co-authoring with Sen. Grothman)

This bill allows for a "personal" exemption of any mandated flu vaccination that any employer may impose. Employees should not fear demotion, retaliation, or dismissal for making a personal choice to decline a mandated flu shot from their employer. This bill only applies to the flu vaccine.

No one should have to choose between losing employment and having a largely ineffective vaccine injected into their body. It is a matter of freedom for an individual to make personal

health care decisions, conversely mandated flu shots cause employees to be medicated without consent. Further complicating this issue, neither employees dismissed by management for non-compliance, nor those who quit their jobs to avoid the vaccine would likely be eligible for unemployment compensation.

It is not unreasonable to raise a personal objection to flu vaccine. A random sampling of individuals would find objections to the flu vaccine for several reasons. Some will relate stories of negative side-effects or simply standing their ground on an issue of personal freedom. But, legitimate disputes with the efficacy and safety of the vaccine are also prevalent.

Currently, if an employer mandates a flu vaccine as a condition of employment, a "religious exemption" must be allowed which protects the 1st Amendment rights of employees. I question why a religious exemption supersedes a personal objection for this specific issue.

The Center for Disease Control (CDC) says that flu viruses are constantly changing. The vaccine formulated each year is an educated guess as to which flu strain will need to be fought each season. Because of this, it is entirely possible that a vaccine may be ineffective before being administered to patients. Additionally, the CDC admits that every season there are those who test positive for the flu even after receiving the vaccination. Rep. Thiesfeldt learned that 6 of 14 people vaccinated at an assisted living home in Fond du Lac tested positive for the flu (type A), and they found that their vaccinations only protected against the type B influenza virus.

Based on the Center for Disease Control's own documents the flu vaccine fails in over 40% of vaccinated employees. With such a level of ineffectiveness, vaccination status is not a reliable indicator of immune status. Furthermore, the Vaccine Adverse Event Reporting System and National Vaccine Injury and Compensation Program have revealed irrefutably that flu vaccines can cause permanent disability and even death.

Lastly, in a September 2011 Position Statement, OSHA (Occupational Safety and Health Administration) stated that it "believes there is insufficient scientific evidence for the federal government to promote mandatory influenza vaccination programs that do not have an option for the HCP [healthcare professionals] to decline for medical, religious and/or personal philosophical reasons."

Expansion of Accredited Health Care Teaching Institution (Assembly Bill 246)

This bill was sent to the Assembly Committee on Health.

When two different funding methods accomplish the same result, it is better for the state to partner with institutions in the private sector than to fully construct and maintain buildings and programs. This bill allows the state to bond for grants to private institutions for health care teaching institutions.

In 2010 the Joint Legislative Council's Special Committee on Health Care Access completed their work and recommended bill language very similar to our bill draft. The only difference is that this bill establishes a ceiling of allowable bonding over the next 5 years.

This bill's intended goal is to compensate for the current and growing shortage of healthcare specialists in Wisconsin.

Consider these student enrollment statistics in Wisconsin:

School	1993	2012	Ave. Increase per Year
UW-Madison Pharmacy	414	520	5.58 students
Milwaukee and Madison Nursing	1499	2226	38.26 students
UW-Madison Medical	600	680	4.21 students
Med College of WI	1173	1209	1.89 students

While these figures show an increase of students, it is not sufficient to meet the anticipated needs of the healthcare industry in the near future.

Under this proposal, the state will bond up to $25 million each year for five years, starting July 1, 2014, for the construction or expansion of accredited private healthcare educational institutions. Unused bonding authority may "roll-over" to the next year.

Significant savings will result for the state from this proposal. For example, the 2011-13 state budget bonded for $34.8 million to build a school of nursing on the UW campus ($17.4 million was gifted to the UW for a total cost of $52.2 million). The state must staff and maintain 100% of the building and program. This proposal transfers 50% of the construction cost in addition to future staffing and maintenance away from taxpayers to the private sector. The state only pays the loan amount for 50% of the project.

Under the bill, qualifying healthcare educational institutions must be privately-funded, and able to train students to become licensed healthcare officials. A qualifying institution must offer a health care program in the form of either a medical school, nursing school, or pharmacy school.

The Building Commission must approve two things before granting any state funds:

1. Expansion would help alleviate the shortage of healthcare workers in WI.
2. The accredited teaching facility must secure funding from nonstate sources that are at least equal to the amount granted.

A provision is written in the bill to protect the state's investment should an institution decide to use the facility for different purposes.

Utility Aid Payments (AB 197)

This bill is in the Assembly Committee on Energy and Utilities.

(Co-authoring with Sen. Lasee)

This only applies to towns and counties for production plants that generate electricity from wind power.

This bill is needed to offset the loss of property tax revenue caused by collapsing property values to a town that hosts Industrial Wind Turbines by changing the utility aid payments from 33% town / 66% county, to 50% town / 50% county.

The wind industry says that industrial wind turbines (IWTs) are a benefit to their communities. The truth is that the area around an industrial wind farm becomes an island where property values plummet, home sales are difficult, and new property development, improvement and growth stops. As the property values fall, the township suffers a loss in property tax revenue.

Sales and Use Tax Exemption for Silver and Gold (AB 198)

This is bill is in the Assembly Committee on Ways and Means and the Joint Survey Committee on Tax Exemptions.

Citizens should not be compelled to pay a tax in order to exchange one form of money for another. Currently 22 other states do not tax gold and silver purchases because the transactions are currency exchanges. Because many states offer this exemption already, many individuals who purchase gold and silver, complete their transactions out-of-state causing great inconvenience and loss of business for Wisconsin.

Wisconsin State Statutes enumerate provisions for sales tax relating to consumable goods. Currently, gold and silver currency exchanges are taxed under these provisions. Sales tax was meant to only apply to consumable products. These provisions are unfair to those individuals hoping to protect their wealth, and, in some cases, their life savings.

Possession of Marijuana (Assembly Bill 164)

This bill had a hearing and also passed the Assembly Committee on Urban and Local Affairs with a 5-3 vote. The Senate companion bill also had a public hearing on June 12 and is expected to hold a vote soon. The Senate committee passed the senate version on a bipartisan 4-1 vote in committee on Monday, June 24. The bill is available for scheduling in both the Senate and Assembly floor periods.

(Co-authoring with Sen. Gudex)

Wisconsin's drug laws inadvertently create the odd circumstance of a first-time offender being prosecuted for possession, while a repeat offender potentially escapes prosecution entirely if the DA declines prosecution.

Wisconsin law currently authorizes counties, cities, villages, and towns (municipal courts) to prosecute first-time possession of 25 grams (g) or less of marijuana or a synthetic cannabinoid. However, prosecuting the first-time possession of amounts greater than 25 g and second offenses of any amount are limited to the jurisdiction of District Attorneys.

The revision I am proposing is simple: grant municipal courts the jurisdiction to prosecute repeat offenses of possession of any amount of marijuana, if the District Attorney has declined. By making this change, the repeat offender charged by a municipal court, if found guilty, will at minimum have a forfeiture on their record.

District Attorneys must make difficult decisions as to which cases to prosecute based on a variety of circumstances such as frequency, workload and resources. Under current law in an area served by a municipal court, when a decision is made by the DA to decline prosecution of a 2nd offense, a municipal court would have no recourse to follow up with their own prosecution.

Assessing Property used for Cheese Aging (SB 146 and AB 167)

(Co-authoring with Rep. LeMahieu, Rep. Endsley & Sen. Leibham)

In Wisconsin, we are a proud worldwide leader in the dairy industry. According to the Milk Marketing Board, each dairy cow in our state produces an average of 20,630 pounds of milk per year, and approximately 90 percent of this milk is used to produce cheese at 129 plants. Furthermore, Wisconsin has more licensed cheesemakers than any other state. Our state government has a strong tradition of promoting our dairy industry and ensuring that it is internationally competitive.

Currently, there is an inconsistent understanding across the state as to whether or not cheese aging facilities are considered to be manufacturing properties. Some assessors classify the equipment used for cheese aging as manufacturing property, while others do not. Facilities that manufacture or manufacture and age cheese are assessed as manufacturing property. However, facilities that age cheese on behalf of others are not given the same recognition. The chemical composition of cheese changes during the aging process, as the product adds flavor and texture.

This proposal clarifies that manufacturing equipment used during the cheese aging process is manufacturing property, regardless of whether or not the facility ages cheese on their own or behalf of another client. Furthermore, this legislation does not create a new tax exemption-- it simply clarifies an inconsistency that has become evident in the assessing process.

Allowing people who are harmed by Industrial Wind Turbines to Sue for Damages (Senate Bill 167)

A public hearing was held on November 20th in the Senate Committee on Judiciary and Labor.

(Co-authoring with Sen. Lasee)

Three families in Sen. Lasee's district and others in the state have abandoned their homes and now pay twice for a place to live or wish they could move but can't afford to. They have been driven from their homes because of 500' Industrial Wind Turbines that are too close to their houses and farms.

All of these families find themselves stripped of their most valuable asset—their homes. They find themselves unable to sell their now undesirable property, spending all of their available financial resources on alternative housing away from the turbines. It often isn't possible for someone who is financially strapped by the loss of their home, their largest asset to be able to afford the legal battle that the wind industry can afford. This is David facing Goliath.

The bill doesn't allow the wind turbine owner to use the fact that the wind turbine was sited legally as a defense.

Wind industry advocates say that these 500' industrial wind turbines are safe, and don't devalue the neighbor's property. If that is true, then there should be no opposition to this bill.

Coverdell Education Savings Account Tax Deduction (Assembly Bill 121)

Bill remains in the Assembly Committee on Ways and Means and the Senate companion bill (SB 111) is in the Senate Committee on Workforce Development, Forestry, Mining, and Revenue.

(Co-authoring with Sen. Grothman)

Wisconsin currently allows a deduction for Edvest College Savings account contributions. This bill will allow certain educational expenses to be deducted for K-12 under the federal Coverdell Education Savings Account (CESA). CESA is an account created as an incentive to help parents and students save for their education.

An individual income tax deduction for certain contributions to a CESA will facilitate increased learning opportunities for Wisconsin students. Lastly, the maximum savings a family would recognize under a 6.75% tax rate is $135 per student.

Here is a link that discusses Coverdell Education Savings Accounts:
http://www.irs.gov/uac/Coverdell-Education-Savings-Accounts-

This bill was introduced last session and passed both the respected Assembly (9-1) and Senate (5-0) committees. This bill died in the Assembly Rules and Senate Rules committees due to the end of session last year.

Responsible Retirement Planning Bill (Assembly Bill 23)

This bill has passed committees in both the Senate and Assembly. We are still waiting for this bill to be scheduled for both the Senate and Assembly sessions.

(Co-authoring with Sen. Vukmir)

This bill would assure the long term security of post-retirement health insurance benefits for employees of local governments by requiring these benefits to be funded on an actuarial basis. This bill would also assure that unexpected high uses of the benefit within a budget year would not cause a spike in local property taxes or service reductions.

This bill is aimed primarily at unused accumulated sick leave that is converted to pay for extended health care after retirement and it is also paying for a portion or all of health care for a certain promised time. **This bill does not involve pensions.** It involves "other post-employment benefits" or OPEB's.

Currently local governments who offer OPEB's, statutorily may choose whether to use the "pay-as-you-go" or actuary methods. By a wide margin "pay-as-you-go" is the preferred choice of local governments. "Pay-as-you-go" is often used to reduce current expenses, but can lead to a serious crisis when a number of retirees collect these benefits in any given specific year. In the long term, funding this benefit on an actuarial basis would remove any risk of tax spikes or major reductions in services for any given year of retirements. Doing so would require ongoing funds to be "banked" for future payment of promised OPEB's.

Local elected officials will not be able to delay liabilities down the road to another elected body should this bill become law, (and take credit for the potential savings on a year-to-year basis). This bill would only apply to NEWLY hired individuals that would allow a smooth transition until the entire workforce falls under the actuarial basis model.

Recount Bill (Assembly Bill 24)

This bill could pass as a stand-alone bill but it was incorporated into the negotiated bipartisan campaign reform package of AB 225. AB 24 will likely not be taken up if AB 225 is signed into law. If AB 225 stalls out for whatever reasons we have AB 24 waiting to be scheduled separate on the Assembly floor and it has already received a public hearing in the Senate.

(Co-authoring with Sen. Gudex)

This bill will potentially reduce both the labor and equipment costs to taxpayers during a recount.

Current law requires that local canvassing boards use automatic tabulating machines when conducting a recount of machine-readable ballots. This process can be slower than simply counting the ballots by hand, creating higher labor costs. In some cases, local offices rent (rather than own) automatic tabulating machines, creating an instant new equipment cost. Additionally,

if a candidate or other electors believe the machines are malfunctioning or inaccurate, their only option is to ask a court to order a hand recount, which requires even more time and expense.

This bill simply gives the canvassing board (instead of a court) local control over whether to use a hand counting method or do another machine feed recount (as is current law).

Equal Access for Certain Interscholastic Athletic and Extracurricular Activities

Considering revisions to the original draft prior to submitting for a bill number.

Today I began circulating a bill draft to allow equal access for certain interscholastic athletic and extracurricular activities at public schools.

Wisconsin families provide funding for public education in our state. Public schools, which are essentially community education centers, offer programs that should be available to all taxpayers in as many ways as is practical. Families in many WI school districts, who have chosen K-12 educational options outside of the public school, are being denied access to extracurricular activities at the public school. There should be equal access for all students regardless of their families' educational choice preferences. Over half of the states have established avenues for home-schooled, virtual, charter and/or choice students to participate in programs at the public school.

This bill will allow students who do not have certain interscholastic athletic and extracurricular activities an equal opportunity to participate in them even if they are not educated at the public school where the athletic program or extracurricular activity is conducted.

Victories:

Credit Protection Act for Minors (Assembly Bill 248)

Passed and signed into law!

(Co-authoring with Rep. Stone, Rep. Hebl, and Sen. Schultz)

This is legislation that will allow parents and guardians to take steps to protect their children's credit scores from identity theft. This bill allows a parent to freeze their child's credit record so that someone seeking to open new credit in the child's name cannot access the credit report. If the child does not have a credit record, the parent may request that a credit reporting agency create a record that prohibits the agency from releasing information about the child to potential creditors until the child turns 18. The bill similarly allows a guardian to place a freeze on the credit record of an individual under their care. This proposal is modeled on legislation that was recently passed in Maryland.

In general, most children (especially very young children) should not have a credit record unless someone has fraudulently opened a credit account in the child's name. This bill will allow parents to help protect their child's credit score so that they are not burdened with a blemished credit history when they first apply for credit, such as when they apply for student loans.

A study published in 2011 by Carnegie Mellon University's CyLab found more than 10 percent of Social Security numbers belonging to minors surveyed already have an active credit record, with 76 percent of the credit activity being fraudulent. The study included identity protection scans of over 40,000 children in 2009-2010.

Minors are a tempting target for identity theft because they usually have a Social Security number with a clean history and there is no process in place to attach names and birth dates to social security numbers. In addition, the theft may go undetected for years until the minor applies for credit on his or her own.

This bill also provides that prior to a credit freeze being placed the credit agency must also do a search of the minor to assure no records have already been created under their name or social security number.

Below are links to the Carnegie Mellon study, the summary of a study conducted by Javelin Strategy and Research regarding child ID theft in 2012, and a press release from the Maryland Attorney General's office regarding the passage of their legislation in case you are interested in any further information regarding this issue.

http://www.cylab.cmu.edu/files/pdfs/reports/2011/child-identity-theft.pdf
http://www.identitytheftassistance.org/promo/2012_Child_Identity_Fraud_Report/2012_Child_Identity_Fraud_Report.html
http://www.oag.state.md.us/Press/2012/122712a.html

Municipal Court Bill (Assembly Bill 22)

Passed and signed into law!

(Co-authoring with Sen. Taylor)

This bill would raise the permissible fee threshold for municipal court offenders by $10 to help offset the costs the court incurs. This fee increase will be paid by the perpetrators/offenders that use the courts and not the taxpayers in general. With the new property tax caps on municipalities this is another tool to offer our municipal courts, whose existence is of great assistance in thinning the heavy docket of circuit courts.

Even with this proposed allowable increase the costs for a case in municipal court would still be significantly lower than the costs for a case that might be sent to circuit court. For example even with the proposed $10 court cost increase an average speeding ticket would be $98.80 in Municipal Court and $160.80 in Circuit Court.

Lastly, each municipality would still reserve the right to increase the court costs or keep them the same. This is not a mandated increase from the state—it simply allows the municipality that is supporting a municipal court to approve an increase if they desire.

Pepper Spray Deregulation (Assembly Bill 119)

Passed and signed into law!

(Co-authoring with Sen. Lasee)

Currently Wisconsin is one of the 3 most regulated and restrictive states for the use of pepper spray. There are 27 other states that have no regulations and of those, there are three that expressly allow the use of any type and size of pepper spray. (Wisconsin regulates both type and size.) It isn't reasonable to prohibit people from protecting themselves with this non-lethal product.

This bill eliminates the rules that were written on this subject and places the most important and functional provisions in statute. Pepper spray can only be used defensively and cannot be possessed by felons. It cannot be sold to minors, although minors will be able to carry pepper spray if it is given to them by a parent or guardian.

Additionally, "MACE," also called tear gas or CS gas, is a totally different product and is still prohibited.

Highway 151 bypass funding in the State Budget

After 3 years of pressing the issue, I, along with Sen. Gudex obtained $17 million in funding for the highway V interchange and highway T overpass along the 151 bypass of Fond du Lac. This will help open up development and make it easier to get around this part of the city. Thank you Governor Walker!

Property Tax Exemption for a Nonprofit Resale Store (Senate Bill 113)

A bill was introduced only on the Senate side but it was also inserted into the budget. It was signed into law by the Governor through the budget!

(Co-authoring with Rep. Tittl and Sen. Leibham)

Currently, there is an inconsistent understanding across the state as to whether the property of a resale store that is owned by a non-profit organization is exempt from taxation. Some assessors exempt these properties while others do not.

This proposal clarifies this issue by specifying that the property of a resale store that is owned by a non-profit is exempt from taxation as long as 50% of the revenue generated at the store is given back to another non-profit organization that is located in the same county.

This common-sense legislation simply allows nonprofit resale stores who perform good deeds in our communities to receive the same tax treatment that other non-profit resale stores currently enjoy.

Eliminating Caps on Fees for a Notary Public (will not be introducing because it is in the budget)

I negotiated a compromise in the state budget to include a $5 cap for notary charges and will not be submitting this idea for a bill number. I count this as a win for notaries and the citizens who will have an expanded ability to obtain this service. The Governor left this provision in the budget as he signed it on Sunday, June 30.

(Co-authoring with Sen. Risser)

Under current Wisconsin law a Notary Public may not charge more than $0.50 for their services. This fee has not been changed since 1955! Surrounding states allow maximum charges of varied amounts:

Illinois $1	Minnesota $1
North Dakota $5	Ohio $1.50
South Dakota $10	Indiana $2
Michigan $10	Iowa – no cap

This bill proposes to eliminate the cap on the fee. Elimination would make it likely that more individuals would be willing to provide the service making it more convenient and widely available. It would allow the competitive market to dictate the cost of this service.

Providing notary services requires initial investment by the provider. Currently, a $20 fee must be paid for a 4-year commission, a $500 surety bond purchased ($25-$100 premium), and an embosser ($34 - $75). Therefore, to break even, a notary must authorize around 200 documents before renewing their 4-year commission.

Often businesses will maintain certain employees with the ability to notarize for customers/members free of charge in companion with other charged services. For example, if a notary visits a private residence to sign loan papers, the $0.50 fee is typically rolled into the larger "trip charge" of $100 or more to the bank originator.

A local businessman contacted me to share that he dropped notary service some time ago because of the trouble one must go through. He summed up his letter to me by saying, "No one wants to deprive community members of this public service, but for it to be widely available; a fair and reasonable fee must be charged."

Counties and municipalities would likely welcome the change as they could determine their own prices to charge for this service. It is time to let market forces determine the value of this service in 2013 dollars and beyond. An inflation calculator brings 50 cents in 1955 to $4.23 in 2012.

Lastly, the bill also cleans up some outdated language for county clerks that would have to work on a fee or part-time basis.

***You can also track any legislation with a bill number by signing up for the legislative update service. Go to https://notify.legis.wisconsin.gov/login?ReturnUrl=%2f