



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

Capitol Update By Senator Howard Marklein February 5, 2016

Legislating Common Sense

Every now and then I work on bills that seem to simply reinforce common sense. Our legislature spends a lot of time and energy moving laws through the process that seem to be basic and generally acceptable to most people; the key word being “most”.

We often have to write laws, re-write laws and clarify law to ensure that every citizen understands their rights and limitations clearly and from all angles, as well as to ensure that governmental agencies are carrying out their duties as we intend. The fact is that we often need to legislate common sense into our state statutes to make our laws crystal clear and fair to everyone regardless of their individual, unique perspective.

This past week, I was proud to welcome Jay and Lynda McDonald from Skyline Homes in Lancaster and Doug and Stacey Martyniuk from Skinner Transfer Inc. in Reedsburg to join Governor Scott Walker as he signed Act 139 into law.

Assembly Bill (AB) 451, which became Act 139 gives large vehicles the legal right to deviate from their lane in a roundabout and establishes that smaller vehicles must yield the right of way to larger vehicles for safety. This change aligns the law with the reality of driving and gives certainty to our many semi and agricultural vehicle drivers trying to navigate through roundabouts.

Roundabouts can be difficult for large semi-trucks, agricultural vehicles, motor coaches, and other large vehicles to navigate. Large vehicles, at times, need two lanes to safely navigate a roundabout but prior law did not allow any driver to deviate between lanes for any reason. Drivers of large vehicles were held liable for accidents with cars attempting to pass them while in the roundabout.

Skinner Transfer of Reedsburg approached Rep. Ed Brooks (R-Reedsburg) and I after one of their drivers had been cited for lane deviation in a roundabout after an accident, when the driver of a passenger car attempted to pass a semi in a roundabout. Act 139 makes roundabouts safer for all drivers.

I also authored SB 249 (AB 337) with Rep. Travel Tranel (R-Cuba City) to require drivers to turn on their headlights during inclement weather. Headlights are a safety tool that enable drivers to see cars from all directions. When the weather is bad and visibility is poor, headlights become extremely important.

For some of us, turning on headlights in the fog or during a snowstorm is common sense. But for other people, this action isn't automatic and can cause accidents and frustration for other drivers. This bill will allow law enforcement to issue tickets for driving without headlights during inclement weather the same way that they do when an individual drives without headlights and taillights in the dark.

Earlier this session, I also worked on two bills that allow us to work with, rely on and cooperate with professionals across state lines during emergency situations. To me, emergency situations require that we devote all available resources to solving problems. But former laws did not allow us to respond with common sense.

Act 26 created a limited exemption from state licensing for ambulance service providers licensed in another state that make 10 or fewer patient transports per year in WI. Several communities in southern Lafayette County utilize the services of the Warren, IL EMS because they are significantly closer to many communities than the nearest WI-based EMS.

The time saved by utilizing Warren's services can make a life or death difference for those in an emergency. For example, Backyard Campground, a family-run campground is a three-minute drive from Warren, but is nearly 30 minutes from Darlington, the nearest WI-based EMS. Common sense tells us that we should use the closer provider, but state law did not allow it. We changed that.

Act 84 created an exemption from income, sales, and use taxes for workers helping to restore basic services in our state after a natural disaster. It also created an exemption to state or local fees, licenses, certificates, registration, and permitting requirements that could be applied to emergency work. This exemption comes into effect at the declaration of a state of emergency and applies to work related to that emergency that took place 10 days before or 60 days after the declaration. This is a limited exemption and does not apply to any personal or commercial work that is not related strictly to utility and telecommunications infrastructure.

Twenty-one other states across the country adopted similar common sense legislation. In my corner of Southwest Wisconsin, bordering both Iowa and Illinois, having help from those states in the event of an emergency could prove particularly important when time is of the essence and people need services restored. Seems like common sense to me.

Again, it may seem like a waste of our time to work on legislation that enforces common sense, but clarifying the laws is part of my role as your State Senator. Many common sense bills come directly from the residents of the 17th Senate District who share their challenges and ideas to correct them. If you have any challenges or ideas, please do not hesitate to contact me.

For more information and to connect with me, visit my website <http://legis.wisconsin.gov/senate/17/marklein> and subscribe to my weekly E-Update by sending an email to Sen.Marklein@legis.wisconsin.gov. Do not hesitate to call 800-978-8008 if you have input, ideas or need assistance with any state-related matters.