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# Wisconsin Legislative Council

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Director



## MOCK STANDING COMMITTEE HEARING SCRIPT

CHAIR

I see we are a few minutes past our scheduled start – so if everyone could take their seats, I’d like to get going. *\*Strikes Gavel.*

I’m calling to order the Assembly Committee on Consumer Protection. Everyone please silence your cell phones. I also want to remind everyone that Wisconsin Eye is broadcasting our hearing today.

Today we are having a public hearing and executive session on AB 186, relating to allowing minors to operate temporary stands without a permit or license.

Before I have the committee clerk call the roll, I want to note that there are other committee hearings going on today, so some members will be coming and going. We will hold the roll open for any members arriving late. Clerk, please call the roll.

CLERK

*Roll Call of Legislator-Elects in Room.* Representative Jones will be arriving late.

CHAIR

The first bill on our agenda this afternoon is AB 186. Is the bill author ready? (*Wait for indication from Author*). Welcome, representative. You may begin.

BILL AUTHOR

Thank you, and good afternoon, [Mr./Madam] Chair, and members. Thank you for holding a hearing on this legislation. You have my written testimony. I won’t read from my testimony, but I would like to urge you to support this common sense, bipartisan legislation. This is really a very simple bill. It allow minors to develop their entrepreneurial skills by letting them operate a lemonade stand without running afoul of state law.

I also want to let everyone know that we worked on an amendment to address a concern related to hazardous food, which has been introduced as Amendment 1.

I am happy to answer any questions. Thank you.

CHAIR

Thank you. I agree that this sounds like a common sense bill. I have one question, and then I'll call on other members. My question is: am I right that this prevents both state agencies and local municipalities from regulating kids' lemonade stands?

BILL AUTHOR

Yes, that's right.

CHAIR

Thank you. Do other committee members have questions? Go ahead, Representative Ranking Member.

RANKING MINORITY MEMBER

Thank you, [Mr./Madam] Chair. I'm interested in this legislation as the parent of two middle school kids who have probably violated the law on multiple occasions. I just want to be sure that we aren't creating any unintended consequences here, because I see that the bill isn't limited just to lemonade.

My question is for Leg. Council: Does the bill limit the amount a minor can sell? Or could my daughter start a restaurant under this, as long as it was operated from a "stand"?

CHAIR

Go ahead Leg. Council.

LEG. COUNCIL

Sure. The bill limits the scope of operations authorized under the bill in a few ways. First, the bill is limited to stands that make "occasional sales." "Occasional sales" is a defined phrase under current law. It means sales totaling less than \$2000 per year. Second, the bill is limited to stands that operate on a "temporary, occasional basis."

RANKING MINORITY MEMBER

Thank you. That helps address my concern.

*\*New Member 1 raises hand to be recognized by Chair.*

CHAIR

Representative New Member 1.

REPRESENTATIVE NEW MEMBER 1

Thank you, [Mr./Madam] Chair. (*turning to the bill author*) And thank you for bringing this legislation forward. My question is about the fiscal estimate. I noticed that the Department of Agriculture, Trade and Consumer Protection does not know the number of stands currently being operated by minors. Do you know whether the department is currently enforcing these regulations on kids' lemonade stands?

BILL AUTHOR

I don't believe the department has been taking enforcement actions, but it's uncomfortable for kids who care about following the rules to know they are breaking the law.

[CHAIR:] Thank you. I agree. We don't have anyone else registered to speak on the bill, so that concludes our public hearing for today.

*\*Strikes Gavel.*

I will now convene the executive session on this bill. *\*Strikes Gavel Again.* I'll ask for unanimous consent to carry over the roll from the public hearing to the exec session.

I see that one amendment has been introduced. Would Leg. Council please describe the amendment?

LEG. COUNCIL

Sure. Assembly Amendment 1, introduced by the bill author, specifies that goods sold at a stand operated by a minor may not include potentially hazardous food.

CHAIR

Thank you. I will now entertain a motion and second to recommend adoption of the amendment. Do I have a motion?

NEW MEMBER 2

I'll move adoption.

NEW MEMBER 3

I'll second.

CHAIR

Any discussion? Seeing none, the clerk will take the roll.

CLERK

*Roll Call Vote of Legislator-Elects*

CHAIR

The motion passes. Now I'll entertain a motion and second to recommend passage of the bill, as amended.

NEW MEMBER 2

I move passage.

NEW MEMBER 3

I'll second.

CHAIR

Any discussion? Yes, Representative [Ranking Minority Member].

RANKING MINORITY MEMBER

I want to thank the chair's office and the bill author for introducing the amendment to address a concern raised by our side about food safety. With the addition of the amendment, I am happy to support this bill today.

CHAIR

Thank you. I think this is common sense legislation that many of our constituents would be surprised to learn is not already in place. And with that, I'll ask the clerk to take the roll.

CLERK

*Takes roll call vote of Legislator-Elects.*

CHAIR

The motion passes. We will hold the roll open for 30 minutes for Representative Jones, who is on her way from another hearing. And with that, we are adjourned. *\*Strikes gavel*