



CODY HORLACHER

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May 9th, 2019

Chairman Pronschinske and Consumer Protection Committee Members,

Thank you for holding a Public Hearing on AB 186 related to allowing minors to operate temporary stands without a permit or license.

It has been my honor to work with Representative Sargent, Senator Kooyenga, families, community members, and public health officials.

Wisconsin's kids should be allowed to hone their entrepreneurial skills without fear of regulatory retribution. Unfortunately, under current law, kids in Wisconsin are not able to operate lemonade stands without a permit. Many kids have had their stands called into local police departments, who then have to investigate and potentially fine these young entrepreneurs, even on private property.

This legislation allows children to operate lemonade and other types of stands without a permit on private property. This bill also provides that these types of entrepreneurial efforts are considered to be "occasional sales" as defined in the state statutes, allowing these kids to sell up to \$2,000 without fear of tax liability. This brings parity between these types of stands and other occasional sales such as garage sales.

Assembly Amendment 1 was drafted in consultation with folks who work in the public health arena. We want to make sure that we are supporting our kids but also working to keep our communities healthy.

We want to ensure that our communities can support youth who have an interest in business. This bill will help kids and families work alongside community members.

I hope that you will join me, Rep. Sargent, and Sen. Kooyenga in standing with young entrepreneurs and their families.

I appreciate your consideration of this bill and I would be happy to answer any questions you may have.



DALE KOOYENGA
STATE SENATOR · 5TH DISTRICT

State Capitol · P.O. Box 7882 · Madison, WI 53707-7882 · (608) 266-2512

May 9, 2019

TO: Members of the Assembly Committee on Consumer Protection

FR: Senator Dale Kooyenga

RE: Support for AB 186 – allowing minors to operate temporary stands without a permit or license

Thank you for holding a hearing on Assembly Bill 186. This is a straightforward bill that allows minors to operate temporary stands without a permit or license.

Wisconsin's kids should be allowed to hone their entrepreneurial skills without fear of regulatory retribution. Unfortunately, under current law, kids in Wisconsin are not able to operate lemonade stands without a permit. Throughout the state, kid after kid, stand after stand, have been reported to local police departments, who then have to investigate and potentially fine these young entrepreneurs, even on private property.

This legislation allows *children* to operate lemonade and other types of stands without a permit on private property. This bill also provides that these types of entrepreneurial efforts are considered to be "occasional sales" as defined in the state statutes, allowing these kids to sell up to \$2,000 without fear of tax liability. This brings parity between these types of stands and other occasional sales such as garage sales.

We want to ensure that our communities can support youth who have an interest in entrepreneurial business endeavors. This bill will help kids and families work alongside community members instead of in opposition to them.

Assembly Amendment 1 came at the request of representatives of the public health departments that were concerned that under the original bill it would allow kids to sell food that was considered to be potential hazardous. Assembly Amendment 1 clarifies this and allows for the sale of food other than items that are considered to be potentially hazardous.

Thank you for hearing AB 186. I respectfully ask for your support.



WAUKESHA COUNTY
COUNTY BOARD OF SUPERVISORS

To: Assembly Committee on Consumer Protection
From: Sarah Spaeth, Legislative Policy Advisor
Date: May 9, 2019
Re: Support Assembly Bill 186

Thank you Chairman Pronschinske and members of the Assembly Committee on Consumer Protection for having a hearing today on Assembly Bill 186 which allows a minor to operate a temporary stand without a license or permit. Waukesha County is asking you to support this bill with the addition of Assembly Amendment 1 which will exclude the sale of potentially hazardous foods.

I want to thank the bill's authors for working with us and being open to understanding our concerns about the sale of hazardous foods. Waukesha County supports the author's goal to remove roadblocks for children to sell lemonade, and applauds the entrepreneurial spirit being promoted that is at the heart of this bill.

As the local public health authority, Waukesha County has a responsibility to the general public to ensure foods being sold will not create negative health impacts. When a vendor is being licensed to sell potentially hazardous foods they receive food safety education and are subject to inspection. Prohibiting the sale of hazardous foods at temporary stands operated by minors protects the public from food that is undercooked or not held at the proper temperature. Assembly Amendment 1 is a simple fix to address this issue and still allows children to continue with the all-American activity of lemonade stands.

Thank you for your time and consideration. Please do not hesitate to reach out to me if you have any questions.



Wisconsin Public Health Association
Wisconsin Association of Local Health
Departments and Boards



WALHDAB

Public Health In Action

Wisconsin Association of Local Health Departments and Boards

563 Carter Court, Suite B, Kimberly, WI 54136
920-882-3650 · 877-202-4333

DATE: May 8, 2019
TO: Members of the Assembly Committee on Consumer Protection
FROM: Wisconsin Public Health Association and
Wisconsin Association of Local Health Departments and Boards
RE: Assembly Bill 186 – The Lemonade Stand Bill

The Wisconsin Public Health Association (WPHA) and the Wisconsin Association of Local Health Departments and Boards (WALHDAB) support children being able to operate lemonade stands. However, as a group of more than 1,200 public health officials from across Wisconsin, we request your support for Assembly Amendment 1.

Authored by Representatives Horlacher and Sargent, Assembly Amendment 1 specifies that minors can operate stands, but cannot sell potentially hazardous foods as defined in current statute. This common sense amendment ensures minors are not selling foods that require strict temperature control measures to eliminate the possibility of spreading foodborne bacterial diseases like Salmonella.

WPHA and WALHDAB are not opposed to children operating lemonade stands and we support the intent of the bill. We believe our concerns can be met and the intent of the bill can be achieved through Assembly Amendment 1. This simple fix allows children to operate a lemonade stand while protecting public health and safety from dangers posed by the consumption of contaminated foods.

WPHA and WALHDAB request your support for Assembly Amendment 1 to Assembly Bill 186, which protects public health and safety by prohibiting the sale of potentially hazardous foods as defined by Wisconsin Food Code. If you have any questions, please contact our government affairs consultants Erik Kanter or Tim Hoven at (608) 310-8833.