

WISCONSIN POLICE EXECUTIVE GROUP

May 18, 1999

Representative Steve Wieckert
Room 9 North
State Capitol, P. O. Box 8953
Madison, WI 53708

Dear Representative Wieckert:

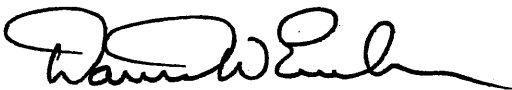
I am writing this letter on behalf of the Wisconsin Police Executive Group in support of legislation you are sponsoring to allow Federal Law Enforcement officers access to Department of Transportation driver's license photographs.

Wisconsin statutes now permit law enforcement officers in the state to request driver's license photographs from the Department of Transportation for bonafide investigative purposes. This law has enabled investigators throughout the state to use photographs for the purpose of ruling out suspects in crimes, conducting photo line-ups, and pursuing possible leads.

When the law passed, it specifically excluded federal law enforcement officers from this access. Wisconsin law enforcement enjoys a positive working relationship with their federal counterparts. For many years, the cooperation and teamwork between state, federal and local agencies has been the model followed for criminal investigations. However, it is presently burdensome for local investigators to request driver's license photos on behalf of a fellow investigator from the federal agencies. Eliminating the "middle man" by providing for federal investigator's access to driver's license photographs would help local law enforcement personnel focus their time on their own cases.

The Wisconsin Police Executive Group supports a change in the current statutes that will allow federal law enforcement officers the same access as enjoyed by the local officers in Wisconsin. Changing the law will ensure continuation of the fine record of cooperation enjoyed between state, federal, and local law enforcement in Wisconsin.

Sincerely,



David W. Erickson
Chairman
Wisconsin Police Executive Group
Chief of Police
Oshkosh Police Department

DWE:kmw

CARME -
SENT TO
JON'S COMM.
GAM -
WIECKER -
STRANGE GUY -
HE WANTS
TO KNOW
IF JON
WILL
MOVE -
WHA?

CHIEF ARTHUR L JONES
MILWAUKEE POLICE DEPARTMENT
PO BOX 532
MILWAUKEE WI 53201

CHIEF DOYLE E. BARKER
MEQUON POLICE DEPARTMENT
11200 N BUNTROCK AVENUE
MEQUON WI 53092

CHIEF DEAN JOHNSON
KONROCK POLICE DEPARTMENT
1800 W. WASHINGTON STREET
KONROCK WI 54885

CHIEF WILLIAM BRANDIMORE
WAUSAU POLICE DEPARTMENT
610 FIFTH STREET
WAUSAU WI 54401

CHIEF RICHARD BREY
MANITOWOC POLICE DEPARTMENT
910 JAY STREET
MANITOWOC WI 54220

CHIEF GEORGE BRUNNER
JANESVILLE POLICE DEPARTMENT
18 NORTH JACKSON STREET
JANESVILLE WI 53545

CHIEF JOHN BUTORAC
WEST ALLIS POLICE DEPARTMENT
11301 W LINCOLN AVENUE
WEST ALLIS WI 53227-1037

CHIEF RICHARD THOMAS
BELOIT POLICE DEPARTMENT
100 STATE STREET
BELOIT WI 53511

CHIEF D. J. FORCEY
NEENAH POLICE DEPARTMENT
2111 MARATHON AVENUE
NEENAH WI 54956

CHIEF ROBERT S JACOBS
BROOKFIELD POLICE DEPARTMENT
2100 NORTH CALHOUN ROAD
BROOKFIELD WI 53005

CHIEF EDWARD KONDRACKI
LACROSSE POLICE DEPARTMENT
400 LA CROSSE STREET
LA CROSSE WI 54601

CHIEF BILL EICHMANN
SHEBOYGAN POLICE DEPARTMENT
828 CENTER AVENUE
SHEBOYGAN WI 53081-4499

CHIEF JAMES LEWIS
GREEN BAY POLICE DEPARTMENT
307 SOUTH ADAMS STREET
GREEN BAY WI 54301

CHIEF PAT MCNALLY
EAU CLAIRE POLICE DEPARTMENT
740 SECOND AVENUE
EAU CLAIRE WI 54702-0496

CHIEF CHARLES MC GEE
WATERTOWN POLICE DEPARTMENT
106 JONES STREET
WATERTOWN WI 53094-0477

JAMES R WARREN ADMINISTRATOR
DIV OF CRIMINAL INVESTIGATION
123 WEST WASHINGTON AVE
MADISON WI 53707-7857

CHIEF RICHARD W. MYERS
APPLETON POLICE DEPARTMENT
222 SOUTH WALNUT STREET
APPLETON WI 54911

CHIEF MICHAEL L NEUENS
NEW BERLIN POLICE DEPARTMENT
17166 WEST GLENDALE DRIVE
NEW BERLIN WI 53151

CHIEF J. MARK DIAMOND
SUPERIOR POLICE DEPARTMENT
PO BOX 428
SUPERIOR WI 54880

CHIEF JACK PITROFL
MENOMONEE FALLS POLICE DEPT
W156 N8480 PILGRIM RD
MENOMONEE FALLS WI 53051

CHIEF KENNETH BOHN
FRANKLIN POLICE DEPARTMENT
9229 LOOMIS RD
FRANKLIN WI 53132

CHIEF RICHARD V POLZIN
RACINE POLICE DEPARTMENT
730 CENTER ST
RACINE WI 53403

CHIEF SUSAN RISELING
UW MADISON
1429 MONROE ST
MADISON WI 53711

SAC DEMERY BISHOP
FEDERAL BUREAU OF INVESTIGATION
330 EAST KILBOURN SUITE 600
MILWAUKEE WI 53202-6627

CHIEF DANIEL WADE
KENOSHA POLICE DEPARTMENT
1000 56TH ST
KENOSHA WI 53140

CHIEF JAMES SCHWARTZ
WEST BEND POLICE DEPARTMENT
1114 SOUTH MAIN ST
WEST BEND WI 53085-4605

CHIEF TIMOTHY TALASKA
SOUTH MILWAUKEE POLICE DEPT
2424 15TH AVE
SOUTH MILWAUKEE WI 53172

CHIEF JOE STROIK
MARSHFIELD POLICE DEPARTMENT
110 WEST FIRST ST
MARSHFIELD WI 54449

CHIEF FRANCIS C SPRINGOB
GREENFIELD POLICE DEPARTMENT
5300 WEST LAYTON AVENUE
GREENFIELD WI 53220

DAVID STEINGRABER, ADMIN
DIV OF LAW ENFORCEMENT SERVICES
PO BOX 7857
MADISON WI 53707

CHIEF LES SHARROCK
WAUKESHA POLICE DEPARTMENT
1901 DELAFIELD ST
WAUKESHA WI 53188-3672

CHIEF BARRY WEBER
WAUWATOSA POLICE DEPARTMENT
1700 NORTH 116TH STREET
WAUWATOSA WI 53226

CHIEF RICHARD WILLIAMS
MADISON POLICE DEPARTMENT
211 SOUTH CARROLL STREET
MADISON WI 53703-3303

CHIEF TOM BAUER
OAK CREEK POLICE DEPARTMENT
7625 SOUTH HOWELL AVENUE
OAK CREEK WI 53154

CHIEF DOUGLAS CARPENTER
STEVENS POINT POLICE DEPARTMENT
2525 STRONGS AVENUE
STEVENS POINT WI 54481

JOHNNIE SMITH, ADMINISTRATOR
123 WEST WASHINGTON AVENUE
PO BOX 7857
MADISON WI 53707-7857

ROBERT L. KREISA
CRIMINAL JUSTICE ASSOCIATES
3180 DANS DRIVE
STEVENS POINT WI 54481

JIM THOME
TRAINING COORDINATOR
FVTC CRIMINAL JUSTICE DEPT.
PO BOX 2277
APPLETON WI 54913-2277

DAVE MALONE
MOCIC
1610 E SUNSHINE, STE. 100
SPRINGFIELD, MI 65804-1313

ERICK SLAMKA
WILEAG/HIDTA
517 E WISCONSON AVE
MILWAUKEE WI 53202

WI STATE PATROL
4802 SHEBOYGAN AVE
MADISON WI 53707

DAVID W ERICKSON
OSHKOSH POLICE DEPARTMENT
420 JACKSON ST, PO 1130
OSHKOSH WI 54902-1130



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WISCONSIN SHERIFFS & DEPUTY SHERIFFS ASSOCIATION

JAMES I. CARDINAL, EXECUTIVE DIRECTOR
1113 Weather Ridge Road • Post Office Box 145
Chippewa Falls, Wisconsin 54729-0145
(715) 723-7173 • FAX: (715) 720-0155

January 18, 2000

Honorable Steve Wieckert
State Representative
9 North State Capitol
Madison, Wisconsin, 53708-8953

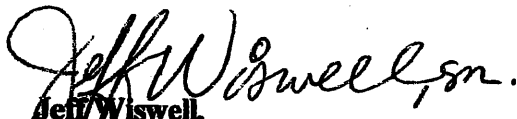
Dear Representative Wieckert:

This is just a brief note to confirm that the board of directors of the Wisconsin Sheriffs and Deputy Sheriffs Association strongly supports your legislative proposal relating to continued release of drivers license photos by the Wisconsin Department of Transportation to qualified law enforcement agencies.

1999-2000 LRB 1743 will continue to provide one more vitally needed law enforcement tool in our state and federal crime-fighting arsenal.

Please keep us informed and feel free to call upon us at any time to be of assistance with you on this important matter. Thank you.

Best Regards,


Jeff Wiswell,
Public Affairs Counsel

JLW: TAW:



Wisconsin Troopers' Association, Inc.

P.O. Box 769 • East Troy, WI 53120
1-800-232-1392

TO: Representative Steve Wieckert
FR: Casey Perry, Executive Director
Wisconsin Troopers' Association
DA: October 14, 1999

**RE: Support of Legislation Relating to Federal Law Enforcement Access to
DOT Photographs**

The Wisconsin Troopers' Association is in receipt of your proposed draft legislation which would allow the Wisconsin Department of Transportation to release a copy of a photograph to federal law enforcement agencies in the same manner that current law allows this access to a Wisconsin law enforcement agency (local or state). It is our understanding that the legislation would require the federal agency to make a written request specifying the name of the person whose photograph is requested and stating that the photograph is requested for the purpose of investigating unlawful activity, looking for a missing person or identifying an accident victim or a deceased person.

On behalf of the members of the Wisconsin Troopers' Association, I would like to offer our wholehearted support for this legislation. The law regulating access to DOT photos appropriately addresses the importance of this access for certain law enforcement situations, while maintaining adequate privacy provisions for Wisconsin's citizens.

Quite simply, by adding federal agency access, the legislation will assist all agencies in their ability to work together to protect and serve Wisconsin citizens. Thank you for your work on this important issue.



Proud Member of the National Troopers Coalition

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From: Michael McFadden [Michael.McFadden@usdoj.gov]
Sent: Monday, February 28, 2000 2:06 PM
To: Rep.Wieckert@legis.state.wi.us
Cc: Dallas.Neville@intmail.usdoj.gov
Subject: LRB 1743 (Assembly Bill 769)

Dear Representative Wieckert:

I am a Deputy United States Marshal, Criminal Investigator, assigned to the Madison office of the United States Marshals Service. Marshal Dallas Neville circulated a FAX letter concerning this bill a few days ago.

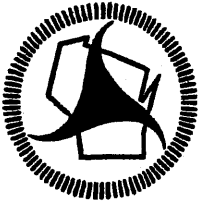
Since the inception of the previous law, we have been hamstrung in our attempts to locate and arrest federal fugitives without photographs. We have had to resort to begging local law enforcement officers to obtain photographs of fugitives that hold Wisconsin Drivers Licenses.

We really had a hard time understanding how the bill did not include; US Marshals Service, FBI, Drug Enforcement Administration, Bureau of Alcohol, Tobacco and Firearms, and other federal investigative agencies. The aforementioned bill is a tremendous boost to our efforts. Thank you for your support/sponsorship.

I have been in contact with the chair of the Judiciary Committee's office and have learned that the bill is scheduled for public hearing on Wednesday, March 1st, 2000 in room 328NW of the State Capitol. I am planning on attending this meeting and speaking in favor of the bill if that is appropriate.

Again, on behalf of all the criminal investigators of the U.S. Marshals Service, THANK YOU!

Mike McFadden
Interim President
Federal Law Enforcement Officers Association, Wisconsin Chapter
608-264-5288



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF THE SECRETARY
P. O. Box 7910
Madison, WI 53707-7910

October 19, 1999

The Honorable Steven Wieckert
Wisconsin State Representative
9 North, State Capitol
Madison, WI 53708-8953

Dear Representative Wieckert:

As stated in our analysis of LRB 1743/1, relating to allowing federal law enforcement agencies to access our digitized photos, the Wisconsin Department of Transportation supports this draft providing it is in compliance with federal law.

The federal Department of Transportation appropriation for fiscal year 2000 recently signed into law amends the Driver Privacy & Protection Act and allows for the release of personal information (photos) "for use by any governmental agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State or local agency in carrying out its functions."

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cook".

Robert Cook
Executive Assistant

RJC:jb

DOA
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NOTE: PLEASE RETURN THIS BILL DRAFT AND THIS TRANSMITTAL SHEET WITH YOUR FISCAL ESTIMATE FORMS

IF THERE IS A FISCAL EFFECT TO THE BILL, PLEASE SUBMIT THE FISCAL ESTIMATE WORKSHEET.

**TO: Carol Buckmaster
Department of Transportation**

**FROM: Deborah Uecker
Division of Executive Budget and Finance
101 East Wilson Street
Administration Building, 10th Floor
Madison, WI 53702**

**SUBJECT: Fiscal Estimate - LRB Number 1743/1
1998 Bill Number**

Un-introduced
copy to
Rep. Wieckert
03-12-99

Please provide the necessary information on fiscal estimate forms and return two (2) copies to Deborah Uecker, no later than: 10-Mar-99

If you cannot comply with the above deadline for any reason, please call Deborah at 267-0371.

Provide local government costs.

_____ is responsible for local government costs.

ALSO SENT TO:
Department of Transportation

DATE DOA SENT TO AGENCY:

03-Mar-99

DATE DOA RECEIVED FROM AGENCY:

3/12/99

TO BE COMPLETED BY AGENCY:

Name and phone number of person who prepared the fiscal estimate.

John Alley
(Name)

(608) 266-0614
(Phone Number)

PLEASE SEND ORIGINAL COPIES OF THE FORMS THAT CAN BE REPRODUCED.

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
LRB 1743/1
Amendment No. if Applicable

9

Subject
Federal law enforcement access to digitized photos.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Conclusion

- 1.) LRB 1743 allows federal, state and local law enforcement agencies access to Wisconsin digitized license photos under the same conditions that allow Wisconsin and border state law enforcement access under current law. Currently 1 of 8 Wisconsin drivers has a digitized photo on file.
- 2.) We estimate a small workload increase due to additional requests for photos. This cost increase can be absorbed by WisDOT.
- 3.) No anticipated local cost impact, but there may be some permissive cost increase for federal law enforcement agencies if they choose to request photos.
- 4.) No other fiscal impact.

Basis for Conclusion

- 1a.) In order to receive a photo, agencies must provide:
 - a written request containing the name of the person whose photo is requested and the name of the requester
 - a statement from agencies' commander or equivalent that the request is for
 - ⇒ investigation of unlawful activity
 - ⇒ missing person investigation
 - ⇒ identification of an accident victim
 - ⇒ identification of a deceased person
 - ⇒ not solely for a photo lineup or array
- 2a.) We estimate a small increase in workload based on approximately 35 additional requests per year. Each transaction requires 20 minutes of processing time resulting in an increase of less than .5 FTE.
- 3a.) It is difficult to determine cost impact for other law enforcement agencies based on access to photos.

Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)
John Alley 266-0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2283

Date
3/9/99

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R1298)

1999 Session

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ORIGINAL
 CORRECTED
 UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
LRB 1743

Amendment No.

Subject: Federal law enforcement access to digitized photos.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
None

II. Annualized Costs:

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 0	\$ -0
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$ 0	\$ -0

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$0	\$0
NET CHANGE IN REVENUES	\$0	\$0

Agency/Prepared by: (Name & Phone No.)
John Alley 266-0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Date
3/9/99

Senate

Record of Committee Proceedings

Committee on Privacy, Electronic Commerce and Financial Institutions

Assembly Bill 849

Relating to: regulating rental-purchase companies and granting rule-making authority.

By Representative Urban, Olsen, Vrakas, Ladwig, Huebsch, Kreibich, Hahn, Musser.

March 29, 2000 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

March 30, 2000 **Failed to concur in pursuant to Senate Joint Resolution 1.**



Committee Clerk

Senate

Record of Committee Proceedings

Committee on Privacy, Electronic Commerce and Financial Institutions

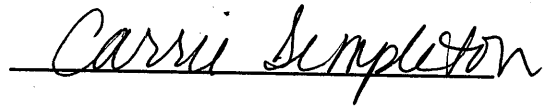
Assembly Joint Resolution 104

Relating to: urging a study of whether electronic commerce should be taxed and the extension of the federal moratorium on the taxation.

By Representative Stone, Suder, Pettis, Hundertmark, Petrowski, Walker, Spillner, Jeskewitz, Urban, Albers, Sykora, Gunderson, Owens, F. Lasee, Kreibich, Klusman; cosponsored by Senator Roessler, Welch, Darling, Farrow, Schultz.

March 16, 2000 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

March 30, 2000 **Failed to concur in pursuant to Senate Joint Resolution 1.**



Committee Clerk



Wisconsin Merchants Federation

The Voice Of Wisconsin Retailing

30 West Mifflin Street
Madison, Wisconsin 53703
Telephone 608/257-3541
Fax 608/257-8755

FAX TRANSMISSION COVER SHEET

Date: 3-16-00

To: Sen. Erpenbach

FAX: 266-2508

Subject: AJR104

Sender: Doug Johnson

YOU SHOULD RECEIVE () PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL.

NOTES:

Can you amend AJR104 on page 2 ... somewhere? See attached. Be a hero for mainstreet, this is a HOT issue i.e., mainstreet sales are subject to the sales tax! out-of-state generated sales aren't. Thank you!

**There are important small business concerns that should also be addressed
regarding fair competition between mainstreet businesses and out-of-state sellers.**

1999 - 2000 LEGISLATURE

LRBs0409/1

PJD:wj:jf

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY JOINT RESOLUTION 104**

March 14, 2000 - Offered by Representatives STONE and SUDER.

1 **Relating to: urging a study of whether electronic commerce should be taxed and the**
2 **extension of the federal moratorium on the taxation.**

3 **Whereas, America's current unprecedented economic expansion is being**
4 **driven, in large part, by the explosive growth of Internet companies and electronic**
5 **commerce; and**

6 **Whereas, the robust development of electronic commerce has attracted the**
7 **attention of government officials committed to establishing tax authority over**
8 **Internet transactions; and**

9 **Whereas, in 1998 Congress, in a move to protect the further development of this**
10 **emerging technology and marketplace, instituted a 3-year moratorium on state**
11 **taxation of charges for Internet access and discriminatory taxes on electronic**
12 **commerce; and**

13 **Whereas, electronic commerce is considered an engine for future economic**
14 **prosperity; and**

1 Whereas, electronic commerce provides entrepreneurs and small businesses
2 the ability to expand their markets and reach out to customers across the globe; and

3 (W) → (A) ?
Whereas, current tax policy could subject electronic commerce transactions to

4 multiple taxation from multiple jurisdictions; and

5 Whereas, the U.S. Supreme Court has consistently ruled that the U.S.
6 Constitution places strict limits on the ability of state and local governments to
7 require a seller to collect sales and use taxes on goods sold in the state unless the
8 seller has nexus in the state; and

9 Whereas, absent these constitutional limitations, the ability of entrepreneurs
10 and small businesses to compete in the global marketplace would be severely limited;

11 and (W) → (A) ?

12 Whereas, significant amounts of electronic commerce transactions would be
13 exempt under traditional existing sales tax policy, such as transactions for services
14 or business-to-business transactions; and

15 Whereas, state and local governments are currently experiencing a period of
16 strong revenue growth and record budget surpluses; and

17 Whereas, businesses operating in the global electronic marketplace are
18 currently subject to a number of other state and local taxes; and

19 Whereas, independent studies have concluded that the current revenue loss to
20 state governments from the nontaxation of the Internet is less than one-half of 1%;
21 and

22 Whereas, the average working American family already faces the highest tax
23 burden in our nation's history, paying close to 40% of its income in local, state and
24 federal taxes; and

1999 - 2000 Legislature

- 3 -

LRBs0409/1
PJD:wlj:jf

1 Whereas, the Internet Tax Freedom Act has laid the foundation for the
2 explosive and revolutionary growth of a vital sector of the economy; and

3 Whereas, the Internet Tax Freedom Act will expire in 2001; and

4 Whereas, Congress has empaneled the Advisory Commission on Electronic
5 Commerce to study all aspects of electronic commerce and the Internet; now,
6 therefore, be it

7 ***Resolved by the assembly, the senate concurring, That*** the Internet Tax
8 Freedom Act should be extended to allow a thorough examination of all aspects of
9 electronic commerce; and, be it further

10 ***Resolved, That*** the members of the senate and assembly support study by the
11 Advisory Commission on Electronic Commerce on the issues of tax and technological
12 neutrality among all forms of commerce; and, be it further

13 ***Resolved, That*** members of the senate and assembly support efforts geared
14 toward tax simplification and comprehensive tax reduction wherever possible,
15 including the extension of the Internet Tax Freedom Act; and be it further

16 ***Resolved, That*** all state governments refrain from imposing new taxes on
17 electronic commerce and allow it to continue to grow in an unfettered environment;
18 and, be it further

19 ***Resolved, That*** the assembly chief clerk shall provide a copy of this joint
20 resolution to the president and secretary of the U.S. senate, to the speaker and clerk
21 of the U.S. house of representatives, to each member of the congressional delegation
22 from this state, to the chief clerk of each state legislative body in this country and to
23 governor of each state attesting the adoption of this joint resolution by the 1999
24 legislature of the state of Wisconsin.

25

(END)

Senate

Record of Committee Proceedings

Committee on Privacy, Electronic Commerce and Financial Institutions

Senate Bill 96

Relating to: maximum interest rates.

By Senator Robson, Burke, Welch, Drzewiecki, Decker, Moore, Rosenzweig, Grobschmidt, Wirsch, Baumgart; cosponsored by Representative Grothman, Ladwig, Musser, Seratti, Schooff, Pohan, Bock, Coggs, Riley, Cullen, Colon, Travis, Young, La Fave, Sinicki, Wasserman, Black, J. Lehman, Berceau, Miller, Lassa, Williams, Gronemus, Boyle.

March 23, 1999 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

November 17, 1999 **PUBLIC HEARING HELD**

Present: (3) Senators Erpenbach, Plache and Fitzgerald.
Absent: (2) Senators Jauch and Rude.

Appearances for

- Senator Judy Robson
- Beverly Crans, Janesville
- Connie Kilmark, Kilmark & Assoc
- Mary Fons, State Bar of WI, Public Interest Law Section
- Tom, Video Testimony
- Stephen Meili, Center for Public Representation
- Phyllis Blum, Cottage Grove
- Garfield Stock, AARP
- Tom Barnes, First American Credit Union
- J. Nels Bjorkquist, Associated Students of Madison
- Leonard Lee, Self
- Kerry Schumann, WISPIRG

Appearances against

- Dave Johnson, CCCS od Madison
- Stephen Schaller, Wisconsin Deferred Deposit Assn.
- John Rabenold, Check 'N Go of Wisconsin
- Jim Douglas, WI Deferred Deposit Association
- Vicki Gamroth, Check Advance
- Cole Hiller, self
- Patrick Essie, WI Deferred Deposit Assoc.

Appearances for Information Only

- Jim Jeffyies, WI Department of Justice
- Georgia Maxwell, WI Credit Union League

Registrations for

- Reverand Sue Larson, Madison WI
- Ellen Rabenhorst, Madison
- Joanne Ricca, WI AFLCIO
- Senator Brian Burke
- Cory Mason, State Bar of WI, Public Interest Section
- Jim Lake, Madison
- Henry Hendrickson, AARP
- Donald Happ, Madison
- Mathew Wylie, Madison
- Kathy Markeland, WI Catholic Conference

Registrations against

- Holly M Jones, Madison Cash Express
- Elisha Vandewalle, Madison
- Michelle Mrozinski, Madison Cash Express
- Jeff Horihon, Onalaska
- Jerry Schwonek, Check Advance of WI
- John F Currence, Check Cash Advance of WI, Inc
- Linda Beggs, CNG Financial
- Doris Douglas, Check 'N Go
- Mark Cooke, CNG Financial
- Holly Small, CNG Financial
- Candy Green, Check Into Cash & CFSA
- Phyllis LaHaye, Check Into Cash
- Sarah Davidson, Check Into Cash
- Cindy Jenkins, Check Advance, WDDA
- Joel Harding, Check Into Cash
- Dean Ketterman, Check Into Cash

March 30, 2000

Failed to pass pursuant to Senate Joint Resolution 1.



Committee Clerk



SENATE SUBSTITUTE AMENDMENT,
TO 1999 SENATE BILL 96

1 AN ACT *to amend* 422.201 (3); *to repeal and recreate* 138.09 (title); and *to*
2 *create* 138.14 of the statutes; **relating to:** payday loan providers and providing
3 a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 138.09 (title) of the statutes is repealed and recreated to read:
5 **138.09 (title) Licensed lenders.**

6 SECTION 2. 138.14 of the statutes is created to read:

7 **138.14 Payday loan providers. (1) DEFINITIONS.** In this section:

8 (a) "Check" has the meaning given in s. 403.104 (6).

9 (b) "Department" means the department of financial institutions.

10 (c) "Payday loan" means any of the following:

11 1. A transaction between a person and the issuer of a check in which the person
12 agrees to accept a check from the issuer, hold the check for a period of time before

1 negotiating or presenting the check for payment and pay to the issuer, upon
2 accepting the check, the amount of the check less any applicable fee.

3 2. A refinancing or consolidation of a transaction described in subd. 1.

4 (d) "Payday loan provider" means a person who is required to be licensed under
5 s. 138.09 and who makes payday loans in the ordinary course of business.

6 (2) MAXIMUM FEES AND INTEREST FOR PAYDAY LOANS. Notwithstanding ss. 138.09
7 and 422.201 (9), no payday loan provider may charge, contract for or receive fees and
8 interest for a payday loan in an aggregate amount that exceeds 5% of the amount of
9 the payday loan.

10 (3) MINIMUM TERM FOR PAYDAY LOANS. No payday loan provider may make a
11 payday loan with a term of less than 30 days.

12 (4) DISCLOSURE REQUIREMENTS. (a) Except as provided in par. (b), before
13 disbursing funds pursuant to a payday loan, a payday loan provider shall provide the
14 person obtaining the payday loan with a copy of each brochure provided by the
15 department under sub. (5).

16 (b) Paragraph (a) does not apply if the person obtaining the payday loan has
17 previously received a copy of each brochure from the payday loan provider.

18 (5) ADMINISTRATION. The department shall provide brochures to educate
19 individuals regarding the operation and potential costs of payday loans and
20 regarding the laws of this state relating to consumer credit. Upon the request of a
21 payday loan provider, the department shall supply the payday loan provider with
22 copies of the brochures provided under this subsection. The department shall charge
23 a payday loan provider a reasonable fee for brochures supplied under this subsection.

24 (6) PENALTY. Any person who violates sub. (2), (3) or (4) may be fined not more
25 than \$500 or imprisoned not more than 6 months or both.

1 **SECTION 3.** 422.201 (3) of the statutes is amended to read:

2 422.201 (3) ~~For~~ Notwithstanding sub. (2), for licensees under s. 138.09 and
3 under s. 218.01, the finance charge, ~~calculated according to those sections,~~ may not
4 exceed the applicable maximums permitted in and calculated under ss. 138.09,
5 138.14 and 218.01, ~~respectively.~~

6 **SECTION 4. Initial applicability.**

7 (1) This act first applies to payday loans made on the effective date of this
8 subsection.

9 **SECTION 5. Effective date.**

10 (1) This act takes effect on the first day of the 6th month beginning after
11 publication.

12

(END)

Senate

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Senate Bill 135

Relating to: prohibiting the department of transportation from providing information compiled and maintained by the department that contains the personal identifiers of 10 or more people.

By Senator Erpenbach, Clausing, Drzewiecki, Panzer, Wirch, Darling, Welch, Lazich, Roessler, Schultz; cosponsored by Representative Foti, Hasenohrl, Sinicki, Klusman, Bock, Wasserman, Hahn, Rhoades, Ziegelbauer, Black, Huebsch, Young, Sherman, Boyle, Spillner, Petrowski, Berceau, Turner, Porter, M. Lehman, Cullen, Staskunas, Ainsworth, F. Lasee, Plouff, Johnsrud, Kreibich, Gronemus, Plale, Kreuser, Kelso, Handrick, Musser, Olsen, Hutchison, Powers, Montgomery, Reynolds, Gunderson, Stone, Freese, Miller.

April 28, 1999 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

March 30, 2000 **Failed to pass pursuant to Senate Joint Resolution 1.**



Committee Clerk

Senate

Record of Committee Proceedings

Committee on Privacy, Electronic Commerce and Financial Institutions

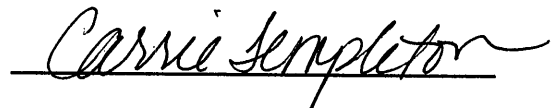
Senate Joint Resolution 34

Relating to: urging a study of whether electronic commerce should be taxed and the extension of the federal moratorium on the taxation.

By Senator Roessler, Welch, Darling, Farrow, Schultz; cosponsored by Representative Stone, Suder, Walker, Spillner, Jeskewitz, Urban, Albers, Pettis, Sykora, Hundertmark, Gunderson, Owens, F. Lasee, Kreibich, Petrowski, Klusman.

February 16, 2000 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

March 30, 2000 **Failed to adopt pursuant to Senate Joint Resolution 1.**



Committee Clerk

Senate

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Committee on Privacy, Electronic Commerce and Financial Institutions

Senate Resolution 6

Relating to: proclaiming April 2000 as "Savings and Investing Month" in this state.

By Senator Erpenbach, by request of the the Department of Financial Institutions.

March 24, 2000 Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

March 30, 2000 **Failed to adopt pursuant to Senate Joint Resolution 1.**



Committee Clerk