



# City of West Allis

Resolution: R-2019-0213

**File Number: R-2019-0213**

**Final Action:**

**Sponsor(s): Alderpersons May and Euteneier**

**MAR 19 2019**

Resolution of Support relative to LRB 19-0761 Relating to Violation of the Law Relating to the Practice of Massage Therapy or Bodywork Therapy, Providing a Penalty, and Providing a Criminal Penalty, and a Request of the State Legislature to Include in the State Statute Chapter 460 a Penalty to Businesses for Offenses.

WHEREAS, Police in Wisconsin municipalities have uncovered prostitution and potential human trafficking occurring in massage parlors, including locations in Milwaukee and Waukesha Counties; and

WHEREAS, In Wisconsin, per State Statute Chapter 460, massage therapists and bodywork therapists are governed by the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and are licensed by the state through the Wisconsin Department of Safety and Professional Services (DSPS). While the vast majority of businesses that offer massage and bodywork therapy services are professional, operate with the greatest of integrity, and follow the law, current statutes leave very limited recourse for our local communities to take swift action in the event that an unscrupulous operation is discovered; and

WHEREAS, After West Allis Chief of Police Patrick Mitchell and Alderman May contacted Representative Sanfelippo's office seeking help, Representative Sanfelippo's office worked with DSPS to determine a plan that would empower local governments to take enforcement actions while still maintaining the current state-level licensure model; and

WHEREAS, Representatives Sanfelippo and Hutton, and Senators Kooyenga, Fitzgerald and Jacque have prepared LRB 19-0761 to allow local governments to pass ordinances giving their police departments the ability to issue municipal citations in cases of illegal activity. LRB 19-0761 also allows the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board to assess a fine of up to \$1,000 for each separate offense in addition to, or in place of, any other disciplinary actions taken by the board. This amount is consistent with current law; and

WHEREAS, The DSPS will continue to license massage therapists and bodywork therapists statewide, investigate complaints, and take enforcement action when circumstances require; and

WHEREAS, This bill empowers our local communities to keep our neighborhoods safe by taking immediate action to stop illegal activity when it is discovered while DSPS, concurrently, conducts its full investigation and adjudication; and

WHEREAS, Including a penalty to businesses for offenses of State Statute Chapter 460 that occur on premise will further encourage the proper hiring of licensed individuals and reduce the potential for human trafficking to occur or continue in such places of business.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of West Allis supports the passage of LRB 19-0761 relating to violation of the law relating to the practice of massage therapy or bodywork therapy, providing a penalty, and providing a criminal penalty; and

BE IT FURTHER RESOLVED that the Common Council of the City of West Allis requests the State Legislature to further empower local municipalities to take decisive action in correcting unscrupulous operations by including in LRB 19-0761 local citation authority against businesses for offenses of State Statute Chapter 460 that occur on premise; and

BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the City's two State Senators, three State Representatives, Governor Evers, the chair(s) of the appropriate committee(s) where LRB 19-0761 will be assigned, and the Wisconsin League of Municipalities.

ADOPTED           MAR 19 2019          

APPROVED           3/25/19          

  
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Steven A. Braatz, Jr., City Clerk

  
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Dan Devine, Mayor