



2007 ASSEMBLY BILL 460

July 19, 2007 - Introduced by Representatives PETROWSKI, KAUFERT, KESTELL, LOTHIAN, LEMAHIEU, A. OTT, NELSON, PETERSEN, SEIDEL and VAN ROY, cosponsored by Senators PLALE, BRESKE, A. LASEE and LAZICH. Referred to Committee on State Affairs.

1 **AN ACT to create** 100.20 (2) (c) of the statutes; **relating to:** the provision of
2 coin-operated soda water vending machines to retail food establishments.

Analysis by the Legislative Reference Bureau

Current law authorizes the Department of Agriculture, Trade and Consumer Protection (DATCP) to promulgate rules prohibiting methods of competition and trade practices that it determines are unfair. Using this authority, DATCP has promulgated a rule regulating the provision of equipment by soda wholesalers to retailers.

This bill prohibits DATCP from regulating the provision of coin-operated vending machines by soda wholesalers to certain retailers, such as grocery stores.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 100.20 (2) (c) of the statutes is created to read:
4 100.20 (2) (c) 1. In this paragraph, "retail food establishment" has the meaning
5 given in s. 97.30 (1) (c).

ASSEMBLY BILL 460**SECTION 1**

1 2. Notwithstanding par. (a), the department may not issue any order or
2 promulgate any rule that regulates the provision of coin-operated soda water
3 vending machines by wholesalers of soda water beverages to retail food
4 establishments or enforce any rule that regulates the provision of coin-operated soda
5 water vending machines by wholesalers of soda water beverages to retail food
6 establishments.

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(END)