

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/21/99

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hartsough

This file may be shown to any legislator: NO

Drafter: traderc

May Contact: LFB

Alt. Drafters:

Subject: Agriculture - miscellaneous

Extra Copies:

Pre Topic:

ARC:.....Hartsough - Am # 110,

Topic:

Sale of ice cream and bread

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/21/99	ygeller 06/21/99		_____			
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FE Sent For:

<END>

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1?	traderc	1 6/21 JG	IS 6/21	IS/JF 6/21			

FE Sent For:

<END>

To Be Drafted

RCT

Agency

Amendment#

ARC Analyst

LRB#

Tax Cut

Summary

Current law generally requires ice cream and similar frozen desserts that are packaged before sale to be sold by liquid measure and packaged only in containers with capacities of one-half liquid pint, one liquid pint, one liquid quart or a multiple of one liquid quart. This requirement does not apply if products are packaged at the time of sale at retail or sold in quantities of less than one-half liquid pint.

The amendment would eliminate the limitations on the size of containers in which ice cream and similar products may be packaged but retains the requirement that they be sold by liquid measure, subject to the current exception.

Under current law, the weight of a loaf of bread manufactured, offered for sale or sold for consumption in this state generally must be a multiple of four ounces and must be at least one-half pound. These requirements do not apply to rolls and similar items that weigh less than four ounces each, to stale bread that is identified as such or to bread manufactured and sold for persons requiring special breads because of medical conditions.

The amendment would eliminate the limitation on the weight of bread loaves. The amendment would prohibit a person from manufacturing for sale in this state, offering for sale and sale of bread unless the bread is sold by weight. This prohibition does not apply to stale bread that is identified as such.

Fiscal Impact

The amendment would have no fiscal impact.

Statement of Intent

DATCP. Request the repeal of package size restrictions for specific products.

1999

Date (time) needed 5:00

LRB b 0816 11

**CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

Ret: Jg

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133**

DN

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1014, line 6: *after that line insert*

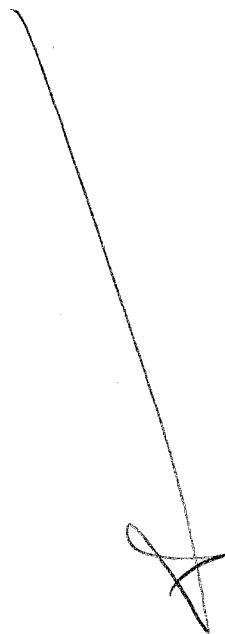
~~#. Page , line :~~

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1999 BILL

1 **AN ACT to amend 98.12; and to repeal and recreate 98.21 of the statutes;**
2 **relating to: the sale of ice cream and similar products and the sale of bread.**

Analysis by the Legislative Reference Bureau

Current law generally requires ice cream and similar frozen desserts that are packaged before sale to be sold by liquid measure and packaged only in containers with capacities of one-half liquid pint, one liquid pint, one liquid quart or a multiple of one liquid quart. This requirement does not apply if products are packaged at the time of sale at retail or sold in quantities of less than one-half liquid pint.

This bill eliminates the limitations on the size of containers in which ice cream and similar products may be packaged but retains the requirement that they be sold by liquid measure, subject to the current exception.

Under current law, the weight of a loaf of bread manufactured, offered for sale or sold for consumption in this state generally must be a multiple of four ounces and must be at least one-half pound. These requirements do not apply to rolls and similar items that weigh less than four ounces each, to stale bread that is identified as such or to bread manufactured and sold for persons requiring special breads because of medical conditions.

This bill eliminates the limitations on the weight of bread loaves. This bill prohibits a person from manufacturing for sale in this state, offering for sale and sale

BILL

of bread unless the bread is sold by weight. This prohibition does not apply to stale bread that is identified as such.

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

1 " SECTION ^{1952m ✓} 98.12 of the statutes is amended to read:

2 **98.12 Standard containers; frozen desserts Sale of ice cream and**
3 **similar frozen products.** Ice cream, ice milk, water ices or other frozen desserts
4 of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~
5 and shall be packaged ~~only in containers with capacities of one-half liquid pint, one~~
6 ~~liquid pint, one liquid quart, or a multiple of one liquid quart.~~ This section does not
7 apply if ~~such~~ the products are packaged at time of sale at retail or sold in quantities

8 of less than one-half liquid pint. "

9 # Page 1014, line 10: after that line insert!
SECTION ^{1953e} 98.21 of the statutes is repealed and recreated to read:

10 **98.21 Sale of bread.** (1) Except as provided in sub. (2), no person may
11 manufacture for sale in this state, offer to sell or sell bread unless the bread is sold
12 by weight.

13 (2) Subsection (1) does not apply to stale bread if the bread is conspicuously
14 marked "stale bread" or is placed in a container conspicuously marked "stale bread"
15 and sold as and for stale bread. " ✓

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

May 18, 1999

608/611
LRB-3012/2da
RCT:jlg:mrc
↑
stays

Melanie Hartsough:

The draft corresponds^s to amendment # 110.

As requested, this draft requires ice cream and similar products to be "sold by liquid measure". It requires bread to be "sold by weight". While current law requires ice cream and similar products to be sold by liquid measure, I am not certain what "sold by" means. It seems that a labeling requirement might be clearer, if that is what is intended.

I have modernized and simplified the proposed language concerning the sale of bread.

Rebecca C. Tradewell
Managing Attorney
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0816/1dn
RCT;jlg:ijs

June 21, 1999

Melanie Hartsough:

This draft corresponds to amendment #110.

As requested, this draft requires ice cream and similar products to be "sold by liquid measure". It requires bread to be "sold by weight". While current law requires ice cream and similar products to be sold by liquid measure, I am not certain what "sold by" means. It seems that a labeling requirement might be clearer, if that is what is intended.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0816/1
RCT;jlg:ijs

ARC:.....Hartsough - Am # 110, Sale of ice cream and bread

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1014, line 6: after that line insert:

3 “SECTION 1952m. 98.12 of the statutes is amended to read:

4 **98.12 ~~Standard containers; frozen desserts~~ Sale of ice cream and**
5 **similar frozen products.** Ice cream, ice milk, water ices or other frozen desserts
6 of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~
7 ~~and shall be packaged only in containers with capacities of one-half liquid pint, one~~
8 ~~liquid pint, one liquid quart, or a multiple of one liquid quart.~~ This section does not
9 apply if ~~such~~ the products are packaged at time of sale at retail or sold in quantities
10 of less than one-half liquid pint.”.

