

2001 DRAFTING REQUEST

Bill

Received: **11/01/2000**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **himself**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters:

Subject: **Education - school boards**

Extra Copies: **PG**

Pre Topic:

No specific pre topic given

Topic:

Prohibiting school boards from entering into certain contracts

Instructions:

Redraft 99-0392

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>
/?	mlief 11/01/2000	chanaman 11/01/2000		_____			S&L
/1		jdye 11/03/2000	kfollet 11/02/2000	_____	lrb_docadmin 11/03/2000	lrb_docadmin 01/17/2001	
			rschluet 11/03/2000	_____			

FE Sent For:

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BAD

2001 DRAFTING REQUEST

Bill

Received: 10/26/2000

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: himself

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters:

Subject: Education - school boards

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Pre Topic:

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/?	mlief			_____			

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2001 BILL
1999 ASSEMBLY BILL 103

February 9, 1999 - Introduced by Representatives SCHNEIDER, J. LEHMAN, MILLER, BOYLE, AINSWORTH, ALBERS and RYBA. Referred to Committee on Education.

1 **AN ACT to renumber and amend** 118.12 (1); and **to create** 118.12 (1g) and
2 118.12 (1m) (c) of the statutes; **relating to:** prohibiting school boards from
3 entering into certain contracts.

- Regen.

Analysis
by line

Current law provides that a person may sell or promote the sale of goods and services on school district property unless the school board adopts written resolutions that prohibit, restrict or otherwise regulate the sale or promotion of goods and services.

This bill prohibits a school board from entering into a contract that grants exclusive advertising rights to a person or that prohibits the school board, a school board member, a school district employee or a pupil from disparaging the goods or services of a person contracting with the school board. The bill also prohibits a school board from entering into a contract for telecommunications goods and services that requires the dissemination of advertising to pupils.

For further information see the **state and local** 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:

4 SECTION 1. 118.12 (1) of the statutes is renumbered 118.12 (1m) and amended
5 to read:

ASSEMBLY BILL 103

SECTION 1

1 118.12 (1m) (a) Except as provided under ~~par.~~ pars. (b) and (c), any person may
2 sell or promote the sale of goods or services on school district or cooperative
3 educational service agency property.

4 (b) ~~A Subject to par. (c),~~ a school board may adopt written resolutions governing
5 the sale and promotion of goods and services on school district property. The board
6 of control of a cooperative educational service agency may adopt written resolutions
7 governing the sale and promotion of goods and services on agency property. The
8 resolutions may prohibit, restrict[^] or provide guidelines for such sales and
9 promotions.

10 **SECTION 2.** 118.12 (1g)[✓] of the statutes is created to read:

11 118.12 (1g) In this[✓] section, "telecommunications" means the electronic
12 movement of information in any form including the electronic movement of
13 information by cable, fiber optics, instructional television fixed service, microwave,
14 radio, satellite, computer, telephone[^] or television.

15 **SECTION 3.** 118.12 (1m) (c)[✓] of the statutes is created to read:

16 118.12 (1m) (c) No school board may do any of the following:

- 17 1. Enter into a contract that grants exclusive advertising rights to a person.
- 18 2. Enter into a contract that prohibits the school board, a school board member,
19 a school district employe^e (or a pupil from disparaging the goods or services of the
20 person contracting with the school board.

- 21 3. Enter into a contract for telecommunications goods or services if the contract
22 requires the dissemination of advertising to pupils.

23 **SECTION 4. Initial applicability.**

PWF



ASSEMBLY BILL 103

1 (1) This act first applies to contracts entered into, modified, extended, or
2 renewed on the effective date of this subsection.

3 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 3, 2000

MEMORANDUM

To: Representative Schneider

From: Madelon J. Lief, Legislative Attorney

Re: LRB-0893 Prohibiting school boards from entering into certain contracts

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7380 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.