

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2520/P1dn
TKK:jld:md

May 21, 2009

TO: Rachel Letzing, Senior Staff Attorney, Legislative Council

Members of the Joint Legislative Council Special Committee on Performance-Based Disease Management for Large Populations:

This draft was prepared for the Joint Legislative Council Special Committee on Performance-Based Disease Management for Large Populations. I have modified the draft to conform with LRB drafting conventions related to the numbering of components and the organization of the chapters. For example, I moved the new sections applicable to the physical fitness assessments from ch. 121 (School Finance) to ch. 118 (General School Operations), and placed both the physical fitness assessments (proposed s. 118.075) and the nutritional standards (proposed s. 118.076) together, near another provision dealing with health and safety requirements (s. 118.07, stats.). Let me know if you have any questions or concerns about these changes.

In addition, I made substantial changes to the organization and wording of the substantive material itself. For example:

1. I combined the two separate paragraphs governing the sale of candy and soft drinks from vending machines together into one subsection; this subsection prohibits a school board, operator of a charter school, or the governing body of a private school from authorizing, permitting, or contracting for the sale of candy or soft drinks from vending machines.
2. I added cross-references to the definitions of "bottled drinking water" and "soda water beverage," defined at s. 97.34 (1) (a) and (b), stats., and defined "soft drink" to mean a soda water beverage containing the enumerated sugars or sugar substitutes.
3. I eliminated the provision which would have required that the results of pupil physical fitness assessments be kept confidential; these assessments would be either "pupil records" or "pupil physical health records" and, as such, would be subject to the confidentiality provisions under s. 118.125, stats.
4. I amended s. 119.04 (1) to make proposed ss. 118.075 and 118.076 applicable to Milwaukee Public Schools.

Please carefully review the draft for these and other changes to ensure that the changes are acceptable.

Finally, please note that I have embedded a number of “four–star notes” into the text of the draft. These notes relate to my confusion about the intent of the Special Committee on Performance–Based Disease Management for Large Populations. Please carefully review these notes and let me know if you would like to make any changes.

I look forward to working with you on the next draft.

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