

1999 DRAFTING REQUEST

Bill

Received: **09/29/98**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **judy**

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

Drafter: **mlief**

May Contact:

Alt. Drafters:

Subject: **Education - school boards**

Extra Copies: **PG**

Topic:

Prohibiting school boards from selling advertising space

Instructions:

Same as 1997 AB 685 (LRB-3581/1), plus amendments

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 10/15/98	gilfokm 10/22/98		_____			Local
/1	mlief 12/9/98	chanaman 12/10/98	lpaasch 10/23/98	_____	lrb_docadmin 10/23/98	lrb_docadminS&L 10/23/98	
/2			martykr 12/11/98	_____	lrb_docadmin 12/11/98	lrb_docadmin 12/11/98	

FE Sent For:

02-08-99

<END>

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Redraft - Same as 1997 ASA 10514 (2) to 1997 AB 685 - TC w/ Judy 11/30/98

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/?	mlief 10/15/98	gilfokm 10/22/98					Local
/1		cmh 12 12/10	lpaasch 10/23/98		lrb_docadmin 10/23/98	lrb_docadmin 10/23/98	

Handwritten notes: cmh 12 12/10, lpaasch, lrb_docadmin, lrb_docadmin, 12/10 jlg, km 12/11, HH 12/11, km 12/11

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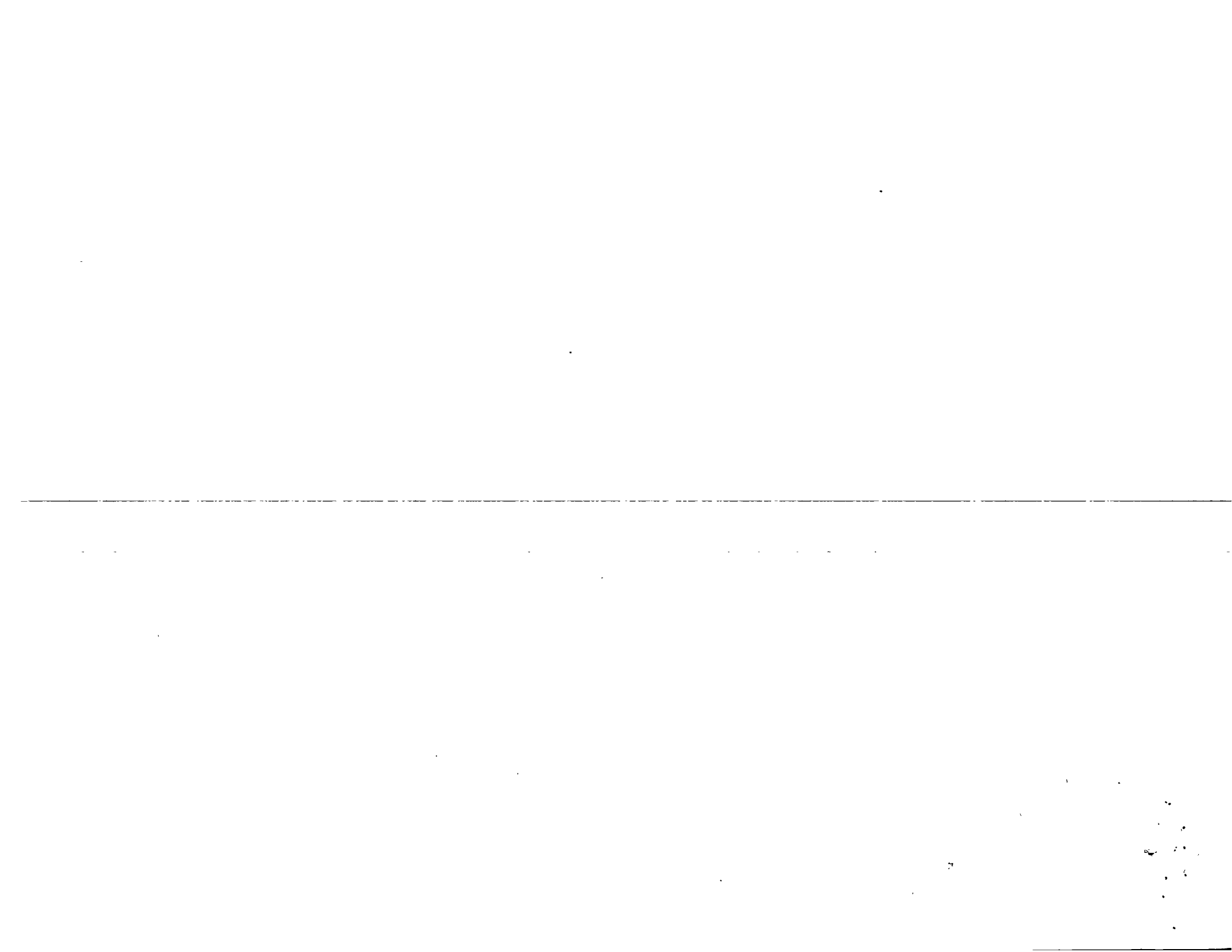
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22
LRB 1448/1

~~was about letter?~~

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/?	mlief		10-23 L.P.	10-23 L.P. H.M.			

FE Sent For:

<END>

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2

3

1999 BILL

~~1997 ASSEMBLY BILL 685~~

December 23, 1997 - Introduced by Representatives SCHNEIDER and J. LEHMAN.
Referred to Committee on Education.

Regulate

1 AN ACT to amend 118.12 (1) (a) and (b); and to create 118.12 (1) (c) of the
2 statutes; relating to: prohibiting school boards from selling advertising space.

Analysis by the Legislative Reference Bureau

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 selling advertising space on any school radio or television broadcast or in any school facility, school bus, school electronic mail system or school publication, except for newspapers, yearbooks or programs for school athletic events.

or on

athletic scoreboard

For further information see the 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:

3 SECTION 1. 118.12 (1) (a) and (b) of the statutes are amended to read:

4 118.12 (1) (a) Except as provided under par. pars. (b) and (c), any person may
5 sell or promote the sale of goods or services on school district or cooperative
6 educational service agency property.

Proof in statute

10-11-12

10-11-12

1

ASSEMBLY BILL 685

SECTION 1

Prop w/ state

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

7 SECTION 2. 118.12 (1) (c) of the statutes is created to read:

8 118.12 (1) (c) No school board may sell advertising space on any school radio
 9 or television broadcast or in ^{on} any school facility, school bus, school electronic mail
 10 system or school publication, except for ^{athletic scoreboards,} newspapers, yearbooks or programs for
 11 school athletic events.

12 SECTION 3. Initial applicability.

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

15 (END)

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 685

1999 Bill

D-N

February 24, 1998 - Offered by Representative SCHNEIDER.

Regulate

1 AN ACT to renumber and amend 118.12 (1) (a); and to create 118.12 (1g) and
2 118.12 (1m) (c) of the statutes; relating to: prohibiting school boards from
3 X entering into certain contracts for the sale of advertising space and goods and
4 X services.

Insert
Analysis

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

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

7 118.12 (1m) (a) Except as provided under par. par. (b) and (c), any person may
8 sell or promote the sale of goods or services on school district or cooperative
9 educational service agency property.

10 (b) A Subject to par. (c), a school board may adopt written resolutions governing
11 the sale and promotion of goods and services on school district property. The board
12 of control of a cooperative educational service agency may adopt written resolutions

Proof
w/ stats



1 governing the sale and promotion of goods and services on agency property. The
2 resolutions may prohibit, restrict or provide guidelines for such sales and
3 promotions.

4 **SECTION 2.** 118.12 (1g) of the statutes is created to read:

5 118.12 (1g) In this section, "telecommunications" means the electronic
6 movement of information in any form including the electronic movement of
7 information by cable, fiber optics, instructional television fixed service, microwave,
8 radio, satellite, computer, telephone or television.

9 **SECTION 3.** 118.12 (1m) (c) of the statutes is created to read:

10 118.12 (1m) (c) No school board may do any of the following:

- 11 1. Enter into a contract that grants exclusive advertising rights to a person.
- 12 2. Enter into a contract that prohibits the school board, a school board member,
- 13 a school district employe or a pupil from disparaging the goods or services of the
- 14 person contracting with the school board.

15 3. Enter into a contract for telecommunications goods or services if the contract
 16 requires the dissemination of advertising to pupils ~~or if the goods or services are~~
 17 ~~provided to the school district at a price below market value with the expectation that~~
 18 ~~the goods or services will be used to disseminate advertising to pupils.~~

19 **SECTION 4. Initial applicability.**

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

22 (END) ✓

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0392/2ins

.....

Insert
Analysis

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 employe 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 ~~or that provides telecommunications goods and services at a price below market value with the expectation that the goods and services will be used to disseminate advertising to pupils.~~

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

cmw

LRB-0392/zdl

D-N

¶ Note that I deleted the second prohibition in
S. 118.12(1m)(c) 3. (from ASA-1 to 1997 AB-685)
because it would be difficult, if not
impossible, to enforce. If you have any
questions, please let me know.

MJL

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10

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 10/23/98

To: Representative Schneider

Relating to LRB drafting number: LRB-0392

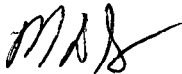
Topic

Prohibiting school boards from selling advertising space

Subject(s)

Education - school boards

1. **JACKET** the draft for introduction



in the **Senate** ____ or the **Assembly** ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Madelon J. Lief, Legislative Attorney
Telephone: (608) 267-7380