2001 ASSEMBLY BILL 260

March 30, 2001 – Introduced by Representatives Ott, Kestell, Wade, Young, Ainsworth, Olsen, Lippert, Starzyk, Plouff, Freese, Hahn, Turner, Berceau, Miller, Townsend, McCormick, Powers, Owens, Sykora and Vrakas, cosponsored by Senators Moen, Plache, Rosenzweig, George, Roessler and Cowles. Referred to Committee on Education.

- 1 AN ACT *to amend* 20.255 (2) (cp) and 115.343 (title) and (1); and *to create* 115.343
- 2 (2) (c) of the statutes; **relating to:** eligibility criteria for and renaming the
- Wisconsin morning milk program.

Analysis by the Legislative Reference Bureau

Under the morning milk program, the state reimburses school districts for the cost of providing milk to pupils in prekindergarten classes to grade five who meet certain income eligibility standards and are not receiving milk through the federal special milk program.

This bill provides that a child is not eligible to receive milk under the program during the school's breakfast or lunch period. The bill also renames the morning milk program the school day milk program.

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:

- **SECTION 1.** 20.255 (2) (cp) of the statutes is amended to read:
- 5 20.255 **(2)** (cp) *Wisconsin morning school day milk program.* The amounts in
- 6 the schedule for the Wisconsin morning school day milk program under s. 115.343.

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SECTION 2.	115.343 (title) and	(1)	of	the	statutes	are	amended	to	read
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department shall establish a morning school day milk program. (1) The department shall establish a morning school day milk program. A school participating in the program shall offer each eligible child —— one half—pint of Wisconsin—produced whole milk, 2% milk, 1.5% milk, one percent milk, 0.5% milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. Any school that participates in the program is encouraged to consider bids from local milk suppliers. The school shall keep all information related to the identity of the pupils who receive a beverage under the program confidential. In this subsection, "Wisconsin—produced" means that all or part of the raw milk used by the milk processor was produced in this state.

Section 3. 115.343 (2) (c) of the statutes is created to read:

115.343 **(2)** (c) The child does not receive the beverage during the school's breakfast or lunch period.

SECTION 4. Initial applicability.

(1) This act first applies to aid paid to schools under section 115.343 of the statutes, as affected by this act, in the school year following the effective date of this subsection.

21 (END)