

**2001 DRAFTING REQUEST**

**Bill**

Received: **10/16/2001**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Joe Plouff (608) 266-7683**

By/Representing:

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

Drafter: **grantpr**

May Contact:

Addl. Drafters:

Subject: **Education - school boards**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Plouff@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Exclusive soft drink sales contracts

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**Instructions:**

See Attached

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**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>
/?	grantpr 10/17/2001	hhagen 10/18/2001		_____			S&L
/1			jfrantze 10/18/2001	_____	lrb_docadmin 10/18/2001		S&L
/2	grantpr	hhagen	jfrantze	_____	lrb_docadmin	lrb_docadmin	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/18/2001	10/19/2001	10/19/2001	_____	10/19/2001	10/23/2001	

FE Sent For:

*At intro*

<END>

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/1		1/2 hnh 10/19/01	jfrantze 10/18/2001		lrb_docadmin 10/18/2001		

*J* 10/19 *[Signature]*  
10/19

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1?	grantpr	1 hmk 10/12/01	J 10/16/18	J/Pg 10/18			

FE Sent For:

<END>

# Joe Plouff



State Representative - 29th Assembly District

Date: October 16, 2001

To: Legislative Reference Bureau

From: Rep. Joe Plouff

Re: Drafting Legislation to require that school districts that enter into exclusive sales contracts with soft drink vendors must also have a milk vending machine available to students. **This request should receive priority over any other request from my office.**

Over the past few years there have been several school districts in Wisconsin that have negotiated exclusive sale agreements with soft drink companies which would allow them to sell their products on school grounds. I wish to have legislation drafted, which would require any school district that engages in such an agreement must also make available a separate vending machine for milk. If you have any questions, please contact Jon at 266-7056.

Office Address: State Capitol • P.O. Box 8953, Madison, WI 53708 • (608) 266-7056 • Fax: (608) 282-3629  
Toll-free: 1-888-529-0029 • E-mail Address: Rep.Plouff@legis.state.wi.us  
Web Site: <http://www.legis.state.wi.us/assembly/asm29/asm29.html>



2001

Date (time) needed

5:50 PM

LRB - 4064 / 1

PG: 1

BILL

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to: exclusive ~~for~~ contracts... for the sale of soft drinks in schools...

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

- If titles are needed in the analysis, in the component bar:
For the main heading, execute: create -> anal: -> title: -> head
For the subheading, execute: create -> anal: -> title: -> sub
For the sub-subheading, execute: create -> anal: -> title: -> sub-sub
For the analysis text, in the component bar:
For the text paragraph, execute: create -> anal: -> text

(attached)

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

SECTION #. CR, 118.12 (4)

(3)

118.12 (4.) If a school board enters into  
a contract that grants to one ~~soft drink~~  
vender the exclusive right to sell soft drinks in  
schools of the school district, the school board  
shall ensure that a vending machine that  
dispenses milk is available to pupils in each  
school. ~~in which a vending machine that dispenses  
soft drinks is located.~~

(End)

## ASSEMBLY BILL 83

## 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 employee, 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.



## ANALYSIS

Under this bill, if a school board enters into a contract that grants to <sup>one</sup> vendor ~~the~~ the exclusive right to sell soft drinks in schools of the school district, the school board must ensure that a vending machine that dispenses milk is available to pupils in each school. ~~at the school district~~

FE-SL

stays

SOON

2001 BILL

1 AN ACT to create 118.12 (4) of the statutes; relating to: exclusive contracts for  
2 the sale of soft drinks in schools.

covered by the contract  
whenever and wherever  
the soft drinks are  
available to pupils

*Analysis by the Legislative Reference Bureau*

Under this bill, if a school board enters into a contract that grants to one vendor the exclusive right to sell soft drinks in schools of the school district, the school board must ensure that ~~a vending machine that dispenses~~ milk is available to pupils in each school.

one or more

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:*

3 SECTION 1. 118.12 (4) of the statutes is created to read:

4 118.12 (4) If a school board enters into a contract that grants to one vendor the  
5 exclusive right to sell soft drinks in schools of the school district, the school board  
6 shall ensure that ~~a vending machine that dispenses~~ milk is available to pupils in each  
7 school.

in each school covered by the contract  
whenever and wherever the soft drinks  
are available to pupils



**Barman, Mike**

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**From:** Mielke, Jon  
**Sent:** Tuesday, October 23, 2001 2:24 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-4064/2 Topic: Exclusive soft drink sales contracts

It has been requested by <Mielke, Jon> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4064/2 Topic: Exclusive soft drink sales contracts



**Basford, Sarah**

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**From:** Basford, Sarah  
**Sent:** Tuesday, November 20, 2001 2:55 PM  
**To:** Rep.Plouff  
**Subject:** LRB -4064/2 (attached)

**Sarah Basford**  
Program Assistant  
State of Wisconsin  
Legislative Reference Bureau  
PH: (608) 266-3561/FAX: (608) 264-6948  
[sarah.basford@legis.state.wi.us](mailto:sarah.basford@legis.state.wi.us)

*Sent as PDF*

## Basford, Sarah

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**From:** Basford, Sarah  
**Sent:** Wednesday, December 05, 2001 9:56 AM  
**To:** Rep.Plouff  
**Subject:** LRB -4064/2 (attached)



01-4064/2

**Sarah Basford**  
Program Assistant  
State of Wisconsin  
Legislative Reference Bureau  
PH: (608) 266-3561/FAX: (608) 264-6948  
[sarah.basford@legis.state.wi.us](mailto:sarah.basford@legis.state.wi.us) <<mailto:sarah.basford@legis.state.wi.us>>