



State of Wisconsin
1997 - 1998 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 685**

February 24, 1998 - Offered by Representative SCHNEIDER.

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 entering into certain contracts for the sale of advertising space and goods and
4 services.

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.~~ pars. (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

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)