

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3556/1dn
DAK:kg:km

September 7, 1999

To Pam Shannon and Dick Sweet:

1. Section 16.47 (2), stats., prohibits each house of the legislature from passing a bill that contains an appropriation of or increases the cost of state government by more than \$10,000, except for emergency appropriations bills, until the budget bill has passed both houses. If this bill is introduced and enacted as an emergency measure prior to passage of the budget, the appropriation set forth in this bill will, as part of the enacted act, be repealed by action of the budget bill (which repeals and recreates the appropriations schedule) unless you have also amended the budget bill to include the correct appropriation line amount. You may, instead, wish to consider having this bill redrafted as an amendment to the budget bill. Alternatively, you may, instead, wish to include an effective date for the bill that is later than the projected date for passage of the budget bill. Last, you may, instead, wish to introduce this bill after passage of the budget bill; if that is done, please check with me after budget bill passage to ensure that the numbers for created statutes in this bill have not been supplanted by the budget bill.

2. The effective date for s. 254.168 (2m) is, under the bill, 15 months after publication. The provision itself, however, requires DHFS to promulgate rules that, after June 30, 1998, require facilities that provide services to young children to have periodic lead inspections or demonstrate that the facility does not contain a lead hazard. You may wish to suggest that the bill be amended to add reference to the provision to SECTION 27 (1) of the bill, to require DHFS to submit proposed rules to the Legislative Council rules clearinghouse six months after the bill's publication.

3. Section 234.495, created in the bill, requires WHEDA to promote aggressively its home improvement loan program and rental improvement loan program, for use in funding the elimination, abatement or control of lead-bearing paint, and to attempt to make loans of at least \$5,000,000 per year under the two programs. I am told by Jim Langdon of WHEDA that last year \$1,400,000 was spent on home improvement and \$240,000 on rental improvement and that these programs have not been popular because of the interest rate (8%), the restrictive purposes of the programs and other reasons. He apparently feels that \$500,000 per year is a more realistically attainable goal. You may wish to suggest that the bill be amended to change s. 234.495, accordingly.

4. I have made several minor technical changes to the bill. In particular, I defined the term "child" to be a person who is less than 18 years of age, unless the context

requires otherwise, so as to avoid using the phrase “child under the age of 18”, which is redundant.

If I can give you further assistance with respect to this bill, I would be happy to help.

Debra A. Kennedy
Managing Attorney
Phone: (608) 266-0137