

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2660/P1dn
PJK:jlg:km

April 15, 1999

1. Do you want to specify that the 25 or fewer employes are full-time?
2. Should the annual income be *gross* annual income, as drafted?
3. I made the appropriation biennial so that any portion of the \$1,000,000 shown in the schedule for the first fiscal year that is not spent or encumbered may be used in the 2nd fiscal year.
4. I did not specify that the program is a pilot program. Is this necessary? If so, how do you want to distinguish it as a pilot program? Do you want it repealed by a certain date or to prohibit the department of commerce from making grants after a certain date so that it will take an affirmative act of the legislature to keep it in existence? Do you want the department to review the program and to make a report as to its effectiveness and recommendations as to its continued existence by a certain date? Do you just want it called a pilot program? If the program is not designated as a pilot program but no money is appropriated for it in the future, the program will in effect be a pilot, as opposed to an ongoing, program anyway.
5. The language requiring the plan, the written agreement with the department and the report after the grant proceeds are spent is more or less boilerplate language for commerce grants and loans. Let me know if you do not want it.
6. If this draft is introduced as a bill before the budget bill passes, note two things:
 - (a) Section 16.47 (2), stats., provides that before passage of the budget bill neither house may pass a bill that increases the cost of state government by more than \$10,000 annually unless the governor, the joint committee on finance or, in some cases, the committee on organization of either house recommends passage of the bill as an emergency appropriation bill. (Because s. 16.47 (2), stats., establishes a rule of legislative procedure, the legislature determines the extent to which the rule is enforced.)
 - (b) The budget act will repeal and recreate the appropriation schedule under s. 20.005 (3), stats. Thus, if this proposal is enacted before the budget, any changes to the schedule made by this proposal will be superseded by the budget bill unless the changes are either incorporated into the budget bill or delayed to take effect after the enactment of the budget bill.

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