

Committee Name:
Joint Committee on Finance – Budget Hearings (JCF_BH)

Appointments

99hr_JCF_BH_Appoint_pt00

Clearinghouse Rules

99hr_JCF_BH_CRule_99-

Committee Hearings

99hr_JCF_BH_CH_pt00

Committee Reports

99hr_JCF_BH_CR_pt00

Executive Sessions

99hr_JCF_BH_ES_pt00

Hearing Records

99hr_ab0806

99hr_sb0000

Misc.

99hr_JCF_BH_Misc_pt00

Record of Committee Proceedings

99hr_JCF_BH_RCP_pt00

History of Assembly Bill 806

ASSEMBLY BILL 806

An Act to repeal 254.17, 254.176 (3) (b), 254.178 (2) (b) and chapter 606; to renumber and amend 254.154 and 254.166 (2) (c); to amend 20.435 (1) (gm), 254.15 (1), 254.166 (1), 254.167 (intro.), 254.167 (1), 254.167 (2), 254.167 (3) and 254.174; to repeal and recreate 254.172; and to create 254.11 (4g), 254.11 (4h), 254.11 (5m), 254.11 (8d), 254.11 (8s), 254.11 (9g), 254.154 (2), 254.166 (2) (c) 2., 254.166 (2) (c) 3., 254.166 (2) (e), 254.171, 254.173, 254.179, 254.18, chapter 606 and 901.055 of the statutes; relating to: conducting lead investigations, lead-bearing paint hazard control, requirements for certification of lead-free or lead-safe status for dwellings and premises, immunity from liability for lead poisoning or lead exposure, a state residential lead liability fund, granting rule-making authority, requiring the exercise of rule-making authority and making appropriations. (FE)

2000

- 02-25. A. Introduced by Representatives Sykora and Coggs; cosponsored by Senator Jauch.
- 02-25. A. Read first time and referred to committee on Housing 680
- 02-28. A. Executive action taken.
- 02-28. A. Assembly substitute amendment 1 offered by committee on Housing 682

Text of Assembly Bill 806

*UC to draft new sub
Burke - Jauch*

Burke/Jauch

MO# ASA 2 o L

MO# Passage as amended

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 16 NO 0 ABS _____

AYE 16 NO 0 ABS _____



LEAD-BASED PAINT HAZARD

ASA 1 to AB 806

Motion:

Move to amend ASA 1 to AB 806 to require the Secretary of DOA to transfer an amount of funding, equivalent to the GPR funding provided in the amendment (\$735,000) to the general fund, once the Secretary determines that sufficient program revenues are available from the fees paid for certificates of lead-free and lead-safe status and lead worker certifications to fund DHFS on-going administrative costs for the program.

MO# Cowles/Sund

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	<input checked="" type="radio"/> A
DECKER	<input checked="" type="radio"/>	N	<input checked="" type="radio"/> A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 15 NO 0 ABS 1

2



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1630/1
DAK:kmg:km

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 806

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 5, line 2: delete the material beginning with "except" and ending with
3 "class" on line 3.

4 (END)

MO# Jauch/Burke

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 16 NO 0 ABS _____

2



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1631/2
DAK:kmg:hmh

MO# Jauch/Burke

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 806

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 16 NO 0 ABS _____

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 15, line 19: after the period insert "In submitting the rules, the
3 department shall include a summary of the differences between standards under the
4 rules proposed to meet the requirement of section 254.179 (1) (a) of the statutes, as
5 created by this act, and standards under a similar ordinance of a 1st class city."

6 (END)

4



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1633/1
DAK:kmg:jf

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 806

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 12, line 20: after "owner" insert ", employe".

(END)

MO# Joseph Burke

GARD	<input checked="" type="checkbox"/>	N	A
PORTER	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
DUFF	<input checked="" type="checkbox"/>	N	A
WARD	<input checked="" type="checkbox"/>	N	A
HUBER	<input checked="" type="checkbox"/>	N	A
RILEY	<input checked="" type="checkbox"/>	N	A

BURKE	<input checked="" type="checkbox"/>	N	A
DECKER	<input checked="" type="checkbox"/>	N	A
JAUCH	<input checked="" type="checkbox"/>	N	A
MOORE	<input checked="" type="checkbox"/>	N	A
SHIBILSKI	<input checked="" type="checkbox"/>	N	A
PLACHE	<input checked="" type="checkbox"/>	N	A
COWLES	<input checked="" type="checkbox"/>	N	A
DARLING	<input checked="" type="checkbox"/>	N	A

AYE 16 NO 0 ABS _____

MO# Jauch/Burke

GARD	Y	<input checked="" type="radio"/>	A
PORTER	Y	<input checked="" type="radio"/>	A
KAUFERT	Y	<input checked="" type="radio"/>	A
ALBERS	Y	<input checked="" type="radio"/>	A
DUFF	Y	<input checked="" type="radio"/>	A
WARD	Y	<input checked="" type="radio"/>	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

**ASSEMBLY AMENDMENT,
O ASSEMBLY SUBSTITUTE AMENDMENT 1,**

TO 1999 ASSEMBLY BILL 806

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	Y	<input checked="" type="radio"/>	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	Y	<input checked="" type="radio"/>	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 8 NO 8 ABS _____

Jauch

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 11, line 6: after the comma insert "including at least one
- 3 representative of a local health department of a 1st class city."

(END)

6

Senator Jauch

ASA 1 TO AB 806

*admitted
16-0*

*amendment
to 1641*

Motion:

Move to amend LRBA1641/1 to delete the material on page 1, lines 8 to 11 and page 2, lines 1 to 4, and substitute :

"(b) 1. Immunity under par. (a) for the first 30 days after an owner acquires a dwelling or unit of a dwelling applies only if all of the following occur:

a. The owner obtains a certificate of lead-free status or a certificate of lead-safe status for the dwelling or unit.

b. The person issuing the certificate certifies that the property was in compliance with the standards to obtain the certificate before that 30-day period ended.

2. Immunity under par. (a) for the additional 60 days following first 30 days after an owner acquires a dwelling or unit of a dwelling applies only if all of the following occur:

a. The owner obtains a certificate of lead-free status or a certificate of lead-safe status for the dwelling or unit.

b. The person issuing the certificate certifies that the property was in compliance with the standards to obtain the certificate before that 60-day period ended."

MO# Jauch / Burke

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
BANZER	<input checked="" type="radio"/>	N	A

Durling
AYE 16 NO 0 ABS _____

7

MO# Jauch/Burke

GARD	(X)	N	A
PORTER	(X)	N	A
KAUFERT	(X)	N	A
ALBERS	(X)	N	A
DUFF	(X)	N	A
WARD	(X)	N	A
HUBER	(X)	N	A
RILEY	(X)	N	A

**ASSEMBLY AMENDMENT,
ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 806**

BURKE	(X)	N	A
DECKER	(X)	N	A
JAUCH	(X)	N	A
MOORE	(X)	N	A
SHIBILSKI	(X)	N	A
PLACHE	(X)	N	A
COWLES	(X)	N	A
DARLING	(Y)	N	A

AYE 16 NO 0 ABS _____

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 10, line 8: after the period insert "(a)".
- 3 **2.** Page 10, line 19: delete "(a)" and substitute "1."
- 4 **3.** Page 10, line 21: delete "(b)" and substitute "2."
- 5 **4.** Page 10, line 23: delete "(c)" and substitute "3."
- 6 **5.** Page 10, line 24: delete "(d)" and substitute "4."
- 7 **6.** Page 10, line 24: after that line insert:
- 8 "(b) 1. Immunity under par. (a) for the first 30 days after an owner acquires a
- 9 dwelling or unit of a dwelling applies only if the owner obtains a certificate of
- 10 lead-free status or a certificate of lead-safe status for the dwelling or unit before that
- 11 30-day period has ended.



ASA 1 TO AB 806

State Residential Lead Liability Fund

Motion:

Move to delete all of the provisions in ASA 1 relating to the state residential lead liability fund. Instead, require the Office of the Commissioner of Insurance (OCI) to prepare a report, by October 1, 2002, that determines whether insurance providing residential property owners with liability coverage for lead-bearing paint hazards is either sufficiently affordable or sufficiently available in the private insurance market. Specify that if OCI makes a determination that such insurance is either not sufficiently affordable or sufficiently available, OCI would be required to submit drafting instructions to the Legislative Reference Bureau to create a state residential lead liability fund and to include this proposed legislation in its 2003-05 biennial budget request.

MO# *Jauch/Burke*

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A
BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	N	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 16 NO 0 ABS

9

Senator Jauch

ASA 1 TO ASSEMBLY BILL 806

fails 8-8

Motion:

Move to amend the amendment on page 7, line 20, after the period, insert the following:

A certificate of lead-safe status obtained under this section may not be for less than 12 months in duration.

Note:

Under the substitute amendment, where a child has an elevated blood lead level, as defined in the bill, the owner is required to obtain either a certificate of lead-free status or a certificate of lead-safe status. Under this motion, if the owner obtains a lead-safe certificate, it must be for a period of at least one year.

MO# Jauch/Burke

GARD	Y	Y	A
PORTER	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUBER	Y	N	A
RILEY	Y	N	A

BURKE	Y	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
COWLES	Y	N	A
DARLING	Y	N	A

AYE 8 NO 8 ABS _____

10

Representative Riley

ASA 1 TO ASSEMBLY BILL 806

Oil Overcharge Revenues

Motion:

Move to provide all of the unallocated oil overcharge revenue and accrued interest to support energy-efficient window replacements in buildings subject to lead hazard abatement.

Note:

It is estimated that there is approximately \$350,000 available from oil overcharge funds that may be used to support the these window replacement activities throughout the state.

[Change to Amendment: \$350,000 PR]

MO# Riley/Burke

GARD	<input checked="" type="radio"/>	N	A
PORTER	<input checked="" type="radio"/>	N	A
KAUFERT	<input checked="" type="radio"/>	N	A
ALBERS	<input checked="" type="radio"/>	N	A
DUFF	<input checked="" type="radio"/>	N	A
WARD	<input checked="" type="radio"/>	N	A
HUBER	<input checked="" type="radio"/>	N	A
RILEY	<input checked="" type="radio"/>	N	A

BURKE	<input checked="" type="radio"/>	N	A
DECKER	<input checked="" type="radio"/>	N	A
JAUCH	<input checked="" type="radio"/>	N	A
MOORE	<input checked="" type="radio"/>	N	A
SHIBILSKI	<input checked="" type="radio"/>	N	A
PLACHE	<input checked="" type="radio"/>	N	A
COWLES	<input checked="" type="radio"/>	<input checked="" type="radio"/>	A
DARLING	<input checked="" type="radio"/>	N	A

AYE 15 NO 1 ABS