

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1756/2dn
MDK:wlj:km

April 3, 2001

Representative Huebsch:

Please review this version, which is based on instructions from Chris Larowe, carefully to make sure that it achieves your intent. In particular, please note the following:

1. A fire department established by a city, village, or town is a "local government unit" under the bill. This results because a fire department either is identical to the city, village, or town, or is considered to be an instrumentality or subunit of the city, village, or town. However, volunteer fire companies or departments organized under ch. 213, stats., are different because they are not established by a city, village, or town. Therefore, this version retains the reference to volunteer fire companies or departments in proposed s. 196.50 (4) (d) 1.
2. This version eliminates an exception for leases entered into before the effective date. It also eliminates the initial applicability provision. Note that, without an initial applicability provision, the bill could be challenged as an unconstitutional impairment of contracts. I can't predict how a court would resolve such a challenge, but I thought you should be aware of it.

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