

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1235/P5dn
CMH:bjk:jf

February 26, 2009

Greg:

Please note that this bill, if enacted, could be challenged as an impermissible delegation of legislative power because it allows a private entity to determine, rather than the legislature, if the created provisions will become effective. This issue is theoretical unless a private entity does not provide a written notice, thus keeping the enacted bill from becoming effective.

I believe that this version addresses all of the issues Josh and I discussed on Tuesday, February 24.

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