

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0136/6dn
RCT:kjf:ph

October 9, 2009

This redraft makes extensive changes in the draft. Please review the entire draft carefully and contact me if any provision of the draft is unclear or if there are any other questions about the draft.

The definition of "cleaning system" is based on the Greenguard Environmental Institute definition from its document that describes the standards and testing process for certifying cleaning products and cleaning systems. I have added a definition of "approval" and used that term rather than "certified" because it appears that EPA does not certify products under its Design for the Environment Program, but instead "recognizes" them. Also, other third-party product-approving entities (which could be selected by DHS in its rules after the initial rules) might use other terminology to describe their approvals.

In looking at the Carpet and Rug Institute Internet site to see what its approval of vacuum cleaners is called, I learned that CRI is making a transition from the Green Label Program to a Seal of Approval/Green Label Program, which considers cleaning performance as well as air quality. The old program will end at the end of 2010. The new program has gold, silver, and bronze ratings. This draft does not specify which rating a vacuum cleaner must receive.

Under this version of the draft, whenever an entity whose approval is required changes its standards, DHS, in consultation with the council, is required to review the standards in order to decide whether to continue to require that entity's approval. This provision is intended partly to minimize any objection that the legislature would be delegating the power to make state law to an outside entity. It may be difficult, however, for DHS to know when standards are changed. It appears that currently some entities change their standards fairly frequently.

Please let me know if additional changes are needed.

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