

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0136/P1dn
RCT:kjf:rs

September 24, 2008

Rep. Mason:

This is a preliminary version of the proposal to require the use of environmentally sensitive cleaning products in schools. In addition to the Illinois law, I looked at the Illinois rules and information about New York's law. I can provide copies of any of this material if you wish.

Please review the draft carefully. Given the differences in governmental structure between Wisconsin and Illinois, I had to specify different state agencies to be consulted concerning the rules. I picked a date on which the requirements take effect that seemed far enough in the future to give time for the rules to be promulgated and for schools to become informed (considering when the last regular floor period of next session is likely to be) and based on the thought that it would be easier to start the requirement at the beginning of a school year (see s. 115.001 (13)). Of course, the effective date provision can be changed. Language could also be added to authorize the use of emergency rules before the permanent rules take effect.

You had mentioned wanting to apply the requirements to other kinds of buildings. If you want to do that, please let me know.

It is difficult to say which state agency would be most appropriate to establish the cleaning requirements. As you instructed, this draft requires DPI to promulgate the rules. You may want to consider having another agency promulgate the rules, especially if you decide to have them apply to other kinds of buildings. There are several possibilities, including the Department of Health Services, which has responsibilities related to environmental health under ch. 254.

Do you want to provide any funding or staffing for the administration of the program?

Please contact me with any questions and redraft instructions.

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