

2013 DRAFTING REQUEST

Bill

Received:	1/9/2013	Received By:	mgallagh
Wanted:	As time permits	Same as LRB:	
For:	Sheila Harsdorf (608) 266-7745	By/Representing:	Matt W.
May Contact:		Drafter:	mgallagh
Subject:	Econ. Development - misc. State Govt - miscellaneous	Addl. Drafters:	
		Extra Copies:	RAC, FFK

Submit via email: **YES**
 Requester's email: **Sen.Harsdorf@legis.wisconsin.gov**
 Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Annual financial audit requirement for WEDC

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 1/28/2013	scalvin 2/8/2013	phenry 2/8/2013	_____			
/1	mgallagh 3/8/2013	scalvin 3/8/2013	rschluet 3/11/2013	_____	srose 2/8/2013		State
/2	mgallagh 4/12/2013	scalvin 4/17/2013	rschluet 4/17/2013	_____	mbarman 3/11/2013		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3				_____	sbasford 4/17/2013	mbarman 5/2/2013	

FE Sent For:

Not
needed

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/9/2013 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Sheila Harsdorf (608) 266-7745 By/Representing: Matt W.
May Contact: Drafter: mgallagh
Subject: Econ. Development - misc. Addl. Drafters:
State Govt - miscellaneous Extra Copies: RAC, FFK

Submit via email: YES
Requester's email: Sen.Harsdorf@legis.wisconsin.gov
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Annual financial audit requirement for WEDC

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 1/28/2013	scalvin 2/8/2013	phenry 2/8/2013	_____			
/1	mgallagh 3/8/2013	scalvin 3/8/2013	rschluet 3/11/2013	_____	srose 2/8/2013		State
/2	mgallagh 4/12/2013	scalvin 4/17/2013	rschluet 4/17/2013	_____	mbarman 3/11/2013		

2013 DRAFTING REQUEST

Bill

Received:	1/9/2013	Received By:	mgallagh
Wanted:	As time permits	Same as LRB:	
For:	Sheila Harsdorf (608) 266-7745	By/Representing:	Matt W.
May Contact:		Drafter:	mgallagh
Subject:	Econ. Development - misc. State Govt - miscellaneous	Addl. Drafters:	
		Extra Copies:	RAC, FFK

Submit via email: YES
 Requester's email: Sen.Harsdorf@legis.wisconsin.gov
 Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

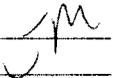
Topic:

Annual financial audit requirement for WEDC

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 1/28/2013	scalvin 2/8/2013	phenry 2/8/2013	_____			
/1	mgallagh 3/8/2013	scalvin 3/8/2013	rschlue 3/11/2013		srose 2/8/2013		State
/2		13 Sac 04/17/2013		_____	mbarman 3/11/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/9/2013 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Sheila Harsdorf (608) 266-7745 By/Representing: Matt W.
May Contact: Drafter: mgallagh
Subject: Econ. Development - misc. Addl. Drafters:
State Govt - miscellaneous Extra Copies: RAC, FFK

Submit via email: YES
Requester's email: Sen.Harsdorf@legis.wisconsin.gov
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Annual financial audit requirement for WEDC

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 1/28/2013	scalvin 2/8/2013	phenry 2/8/2013	_____			
/1		1/2 sac 03/08/2013		_____	rose 2/8/2013		State

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/9/2013 Received By: mgallagh
 Wanted: As time permits Same as LRB:
 For: Sheila Harsdorf (608) 266-7745 By/Representing: Matt W.
 May Contact: Drafter: mgallagh
 Subject: Econ. Development - misc. Addl. Drafters:
 State Govt - miscellaneous Extra Copies: RAC, FFK

Submit via email: YES
 Requester's email: Sen.Harsdorf@legis.wisconsin.gov
 Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Annual financial audit requirement for WEDC

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh		2/8 ph	X			

FE Sent For:

<END>

Gallagher, Michael

From: Wuebke, Matt
Sent: Wednesday, January 09, 2013 3:19 PM
To: Gallagher, Michael
Subject: RE: WEDC bill draft request

Sounds good – thanks!

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745

*1/23/2013
Per Matt
- Have the annual
audit performed
by LAB.*

From: Gallagher, Michael
Sent: Wednesday, January 09, 2013 2:50 PM
To: Wuebke, Matt
Subject: RE: WEDC bill draft request

Yes, I believe I can do that. Currently, the LAB is required to perform a financial audit of WEDC once per biennium, beginning in 2013. See 13.94(1)(dr). I can put together a draft that leaves that statute alone but creates a separate annual financial audit requirement for WEDC under ch. 238.

Michael P. Gallagher
Legislative Attorney
Legislative Reference Bureau
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: Wuebke, Matt
Sent: Wednesday, January 09, 2013 2:43 PM
To: Gallagher, Michael
Subject: RE: WEDC bill draft request

Hi Mike,

I think we would like to leave it open-ended for now to allow for either LAB or an independent auditor to perform the work. Would it possible to be silent on that point and just require WEDC to perform an audit?

Thanks,

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745

From: Gallagher, Michael

Sent: Wednesday, January 09, 2013 2:40 PM

To: Wuebke, Matt

Subject: RE: WEDC bill draft request

Matt:

Do you mean a financial audit performed by the Legislative Audit Bureau or a financial audit performed by an "independent auditor", i.e. not the LAB?

I will also check of course to see what is currently on the books.

Thanks.

Mike

Michael P. Gallagher

Legislative Attorney

Legislative Reference Bureau

(608) 267-7511

michael.gallagher@legis.wisconsin.gov

From: Wuebke, Matt

Sent: Wednesday, January 09, 2013 1:07 PM

To: Gallagher, Michael

Subject: WEDC bill draft request

Hi Michael,

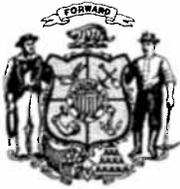
We would like to request a bill draft that would require the WEDC to perform an annual financial audit. Let me know if you have any questions.

Thanks,

Matt Wuebke

Office of Sen. Sheila Harsdorf

800-862-1092 or 608-266-7745



(1)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

[Handwritten signature]

1 AN ACT ...; relating to: *[Handwritten mark]* an annual financial audit of the Wisconsin Economic
2 Development Corporation by the Legislative Audit Bureau.

Analysis by the Legislative Reference Bureau

Under current law, the legislative audit bureau (LAB) is required to perform a financial audit of the Wisconsin Economic Development Corporation (WEDC) on a biennial basis and a program evaluation audit of WEDC's economic development programs on a biennial basis. This bill requires LAB to perform the financial audit of WEDC on an annual basis.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 13.94[✓] (1) (dr) of the statutes is amended to read:
4 13.94 (1) (dr) ~~Biennially, beginning~~ Beginning in 2013, annually conduct a
5 financial audit of the Wisconsin Economic Development Corporation and biennially
6 conduct a program evaluation audit of the economic development programs
7 administered by the Wisconsin Economic Development Corporation under ch. 238.

1 The legislative audit bureau shall file a copy of each audit report under this
2 paragraph with the distributees specified in par. (b).

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007 a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10, 32, 166.

3 **SECTION 2. 13.94 (1s) (c) 5.** of the statutes is amended to read:

4 **13.94 (1s) (c) 5.** The Wisconsin Economic Development Corporation for the cost
5 of the ~~audit~~ audits required to be performed under sub. (1) (dr).

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007 a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10, 32, 166.

6 (END)

Gallagher, Michael

From: Wuebke, Matt
Sent: Monday, February 11, 2013 10:04 AM
To: Gallagher, Michael
Subject: RE: WEDC legislation

L23-1074

Yes, I have copied and attached them below. Thanks!

After further discussion, we wanted to go back to our original request, which was to require an independent financial audit by WEDC in the years in which the LAB is not performing their audit. The audit would not have to be done by the LAB, but rather just require WEDC to perform an audit. Please let me know if you have any questions.

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745

From: Gallagher, Michael
Sent: Monday, February 11, 2013 9:42 AM
To: Wuebke, Matt
Subject: RE: WEDC legislation

Matt: Did you send an e-mail with redraft instructions on this draft? I thought I saw one this morning, but then it disappeared. Apparently, there were issues with the e-mail server this morning, and I may have lost or not received e-mails.

Thanks.

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau

From: Wuebke, Matt
Sent: Tuesday, February 05, 2013 1:51 PM
To: Gallagher, Michael
Subject: RE: WEDC legislation

Thanks – sorry for my confusion!

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745

From: Gallagher, Michael
Sent: Tuesday, February 05, 2013 1:41 PM

To: Wuebke, Matt
Subject: RE: WEDC legislation

Matt: Eric forwarded your e-mail to me. I put the WEDC audit draft into editing last week. I believe they have been fairly swamped with budget items.

I will handle this request. I'll get back to you with any questions or suggestions.

Mike

Michael P. Gallagher
Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
P.O. Box 2037
Madison, WI 53701-2037
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: Mueller, Eric
Sent: Tuesday, February 05, 2013 1:37 PM
To: Gallagher, Michael
Subject: FW: WEDC legislation

Mike,

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov

From: Wuebke, Matt
Sent: Tuesday, February 05, 2013 1:28 PM
To: Mueller, Eric
Subject: WEDC legislation

Hi Eric,

In addition to the drafting request relating to financial audits by LAB of WEDC, there is another WEDC proposal we would like to have drafted.

We would like the change the members of the WEDC Board that are appointed by the Governor to serve for set terms, rather than at the pleasure of the Governor. We would like this change to be phased in beginning in 2015. If you have suggestions on the term length of other appointed bodies and how to best stagger terms, that would be appreciated. We were thinking four-year terms and requiring two members to be appointed for the four-year terms each year beginning in 2015 with Senate confirmation.

Please let me know if you have any questions or suggestions on this request.

Thanks,

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745



In 3/8 / By Tuesday, 3/12

Trans.



LRB-1074/1

MPG:sac:phg

2
12

2013 BILL

Inset

D-Note

gen cat

1 AN ACT *to amend* 13.94 (1) (dr) and 13.94 (1s) (c) 5. of the statutes; **relating to:**

2 annual financial audit of the Wisconsin Economic Development Corporation ~~by~~

3 ~~the Legislative Audit Bureau.~~

Analysis by the Legislative Reference Bureau

Under current law, the legislative audit bureau (LAB) is required to perform a financial audit of the Wisconsin Economic Development Corporation (WEDC) on a biennial basis and a program evaluation audit of WEDC's economic development programs on a biennial basis. This bill requires LAB to perform the financial audit of WEDC on an annual basis.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

Inset
Analysis

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 13.94 (1) (dr) of the statutes is amended to read:

5 13.94 (1) (dr) Biennially, beginning ~~Beginning~~ in 2013, annually conduct a
6 financial audit of the Wisconsin Economic Development Corporation and biennially
7 conduct a program evaluation audit of the economic development programs

Inset 1-4

BILL

1 administered by the Wisconsin Economic Development Corporation under ch. 238.
2 The legislative audit bureau shall file a copy of each audit report under this
3 paragraph with the distributees specified in par. (b).

4 **SECTION 2.** ~~13.94 (1s) (c) 5.~~ of the statutes is amended to read:

5 13.94 ~~(1s) (c) 5.~~ The Wisconsin Economic Development Corporation for the cost
6 of the ~~audit~~ audits required to be performed under sub. (1) (dr).

7

(END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1074/2ins
MPG:sac:ph

1 INSERT ANALYSIS

 This bill requires the Wisconsin Economic Development Corporation, annually by October 1, to conduct an audit of its financial statements for the previous fiscal year and submit its audit report to the Joint Legislative Audit Committee and both houses of the legislature.

2 END INSERT ANALYSIS

3 INSERT 1-4

4 **SECTION 1.** 238.07 (4) of the statutes is created to read:

5 238.07 (4) Annually, no later than October 1, the board shall conduct an audit
6 of the corporation's financial statements for the previous fiscal year and submit the
7 audit report to the joint legislative audit committee and the chief clerk of each house
8 of the legislature, for distribution to the legislature under s. 13.172 (2).[✓]

9 END INSERT 1-4

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

LRB-1047/2dn

MPG:sac:ph

- date -

Senator Harsdorf:

Please review this draft carefully to ensure that it is consistent with your intent.

This redraft creates an annual financial audit requirement for the Wisconsin Economic Development Corporation (WEDC). The request was to require WEDC to conduct a financial audit in years in which the Legislative Audit Bureau (LAB) does not audit WEDC. Under current law, LAB conducts a financial audit of WEDC once per biennium, beginning in 2013. *See* s. 13.94 (1) (dr), stats.

However, because the LAB audit is tied to the fiscal biennium, and presumably covers the entire fiscal biennium, it is not clear what it would mean to require WEDC to conduct an audit for years not audited by LAB. Therefore, the draft requires WEDC to conduct an audit of its financial statements for the previous fiscal year by October 1 of each year, and the draft further requires WEDC to submit its audit report to the Joint Legislative Audit Committee and the chief clerk of each house of the legislature, for distribution to the legislature. That annual reporting requirement is consistent with WEDC's reporting obligations under current law with respect to its economic development programs. Please let me know if this redraft is not consistent with your intent or if you have any questions.

Thank you.

Michael Gallagher
Legislative Attorney
Phone: (608) 267-7511
E-mail: michael.gallagher@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1074/2dn
MPG:sac:rs

March 11, 2013

Senator Harsdorf:

Please review this draft carefully to ensure that it is consistent with your intent.

This redraft creates an annual financial audit requirement for the Wisconsin Economic Development Corporation (WEDC). The request was to require WEDC to conduct a financial audit in years in which the Legislative Audit Bureau (LAB) does not audit WEDC. Under current law, LAB conducts a financial audit of WEDC once per biennium, beginning in 2013. *See* s. 13.94 (1) (dr), stats.

However, because the LAB audit is tied to the fiscal biennium, and presumably covers the entire fiscal biennium, it is not clear what it would mean to require WEDC to conduct an audit for years not audited by LAB. Therefore, the draft requires WEDC to conduct an audit of its financial statements for the previous fiscal year by October 1 of each year, and the draft further requires WEDC to submit its audit report to the Joint Legislative Audit Committee and the chief clerk of each house of the legislature, for distribution to the legislature. That annual reporting requirement is consistent with WEDC's reporting obligations under current law with respect to its economic development programs. Please let me know if this redraft is not consistent with your intent or if you have any questions.

Thank you.

Michael Gallagher
Legislative Attorney
Phone: (608) 267-7511
E-mail: michael.gallagher@legis.wisconsin.gov

Gallagher, Michael

From: Wuebke, Matt
Sent: Tuesday, April 09, 2013 1:57 PM
To: Gallagher, Michael
Subject: Submitted: LRB -1074/2 Topic: Annual financial audit requirement for WEDC?body=

Hi Mike,

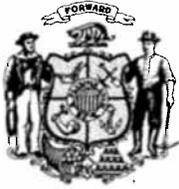
We would like a couple changes to LRB-1074, as listed below.

Please remove the October 1st date and just specify that the board shall conduct an annual audit.

We would also like to clarify that the audit would be an "independent audit." Our suggestion would be to change line 4 to read "Annually the board shall conduct an independent audit of the ..."

Please let me know if you have any questions.

Matt Wuebke
Office of Sen. Sheila Harsdorf
800-862-1092 or 608-266-7745



13

2013 BILL

1 *gen act*
AN ACT *to create* 238.07 (4) of the statutes; **relating to:** annual financial audit
2 of the Wisconsin Economic Development Corporation.

have
Analysis by the Legislative Reference Bureau
conducted
This bill requires the Wisconsin Economic Development Corporation, *annually*
by October 1, to *conduct* an audit of its financial statements for the previous fiscal
year and submit its audit report to the Joint Legislative Audit Committee and both
houses of the legislature. *annual*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 238.07 (4) of the statutes is created to read:
4 *have*
238.07 (4) Annually, *independent* *conducted* ~~no later than October 1,~~ the board shall *conduct* an audit
5 of the corporation's financial statements for the previous fiscal year and submit the
6 audit report to the joint legislative audit committee and the chief clerk of each house
7 of the legislature, for distribution to the legislature under s. 13.172 (2).

(END)

Barman, Mike

From: Woebke, Matt
Sent: Thursday, May 02, 2013 9:33 AM
To: LRB.Legal
Subject: Draft Review: LRB -1074/3 Topic: Annual financial audit requirement for WEDC

Please Jacket LRB -1074/3 for the SENATE.