

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB181)

Received: **5/8/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB:
For: **Penny Bernard Schaber (608) 266-3070** By/Representing: **Eric K.**
May Contact: Drafter: **mgallagh**
Subject: **Econ. Development - misc.** Addl. Drafters:
State Govt - miscellaneous Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Require WEDC to develop procurement policies before implementing fund of funds program

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> |
|--------------|----------------------|---------------------|----------------------|----------------|---------------------|---------------------|-----------------|
| /1 | mgallagh 5/8/2013 | scalvin 5/8/2013 | rschluet 5/8/2013 | _____ | lparisi 5/8/2013 | lparisi 5/8/2013 | |

FE Sent For:

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| /1 | mgallagh | /1 SAC 05/08/2013 |  | _____ | _____ | | |
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FE Sent For:

<END>

Gallagher, Michael

From: Koch, Eric
Sent: Wednesday, May 08, 2013 12:59 PM
To: Gallagher, Michael
Subject: RE: Amendment Request for AB 181

Update, we'd like to take a slightly different route. Rather than before the funds are released, make these conditions applicable before the program under (2) is created.

238.155(2)(a) The corporation shall not develop an economic development program under sub(2) until the following requirements are made

- (2)(a)1.** The corporation develops corporate wide procurement policies that specify situations in which:
 - (2)(a)1 a.** Proposals should be solicited from multiple vendors
 - (2)(b)1 b.** How those proposals are to be evaluated
 - (2)(b)1 c** How vendors potential conflicts of interest are to be assessed.

(2)(a)2. The policies under (2)(a)1 are approved by the governing board.

Also, if we could get a basic note or few bullet points explaining what the amendment does, that would be great.

The language for this amendment comes from the Legislative Audit Bureau's Audit of WEDC and their recommendation for procurement policies on Pg. 67

Feel free to give me a call if you have any questions.

Thank you!

Eric Koch

Office of Rep. Penny Bernard Schaber
57th Assembly District
Phone: 608.266.3070
Toll Free: 888.534.0057

From: Koch, Eric
Sent: Wednesday, May 08, 2013 12:29 PM
To: Gallagher, Michael
Subject: Amendment Request for AB 181

Hi Michael,

Per my phone message, I would like to draft an amendment to AB 181. What I am looking for is adding a requirement on WEDC before it can release the \$25,000,000 to the Investment Manager.

Something along the lines of

- (5)7 WEDC may not release the moneys under (5)a until all of the following conditions are met:
- (5)7a. WEDC develops corporation wide procurement policies that specify situations in which:
 - (5)7a1. Proposals should be solicited from multiple vendors

(5)7a2. How those proposals are to be evaluated

(5)7a3 How vendors potential conflicts of interest are to be assessed.

(5)7b The policies under (5)7a are approved by the governing board.

Eric Koch

Office of Rep. Penny Bernard Schaber

57th Assembly District

Phone: 608.266.3070

Toll Free: 888.534.0057

Gallagher, Michael

From: Gallagher, Michael
Sent: Wednesday, May 08, 2013 1:24 PM
To: Koch, Eric
Subject: RE: Amendment Request for AB 181

Please note that someone may argue this amendment is not germane under Assembly rule 54 (3) (f).

Mike Gallagher

Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

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Sent: Wednesday, May 08, 2013 12:59 PM
To: Gallagher, Michael
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Eric Koch

Office of Rep. Penny Bernard Schaber

57th Assembly District

Phone: 608.266.3070

Toll Free: 888.534.0057



Thanks

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 181**

D-Note

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 2: after “program” insert “and procurement policies and
3 procedures of the Wisconsin Economic Development Corporation”.
- 4 **2.** Page 4, line 5: after that line insert:
5 “SECTION 2m. 238.09 of the statutes is created to read:
6 **238.09 Procurement policies and procedures.** The board shall adopt
7 procurement policies and procedures that specify all of the following:
8 (1) When the corporation is required to publicly solicit proposals from multiple
9 vendors of goods or services.
10 (2) How the corporation is to evaluate proposals from multiple vendors.
11 (3) How the corporation is to assess any potential conflicts of interest a vendor
12 may have if the vendor sells goods or services to the corporation.”.
- 13 **3.** Page 4, line 10: delete “The” and substitute “(a) Subject to par. (b), the”.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0407/1dn

MPG: j...
SMC

- date -

Representative Bernard Schaber:

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

As requested, this draft amendment prohibits WEDC from establishing the fund of funds economic development program under the bill before the board of WEDC adopts policies and procedures that specify (1) when WEDC is required to publicly solicit proposals from multiple vendors of goods or services; (2) how WEDC is to evaluate proposals from multiple vendors; and (3) how WEDC is to assess any potential conflicts of interest a vendor may have if the vendor sells goods or services to WEDC.

Please do not hesitate to contact me with 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

LRBa0407/1dn
MPG:sac:rs

May 8, 2013

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Please do not hesitate to contact me with any questions.

Thank you.

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