



State of Wisconsin
2017 - 2018 LEGISLATURE

August 2017 Special Session

LRBa1140/1
MPG:all

**SENATE AMENDMENT 1,
TO ASSEMBLY BILL 1**

September 6, 2017 - Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 8, line 1: before that line insert:

3 “**SECTION 1m.** 13.94 (1) (u) of the statutes is created to read:

4 13.94 (1) (u) Beginning in 2018, annually for 5 years, evaluate the process used
5 by the Wisconsin Economic Development Corporation to verify information under s.
6 238.396 (4) (d) and evaluate whether the corporation appropriately verified, in
7 accordance with statutory and contractual requirements, the amount of tax credits
8 eligible claimants may claim under ss. 71.07 (3wm) and 71.28 (3wm).”

9 **2.** Page 9, line 1: delete “or county” and substitute “county, or technical college
10 district”.

11 **3.** Page 9, line 14: delete lines 14 and 15.

12 **4.** Page 10, line 4: after “(a)” insert “1.”.

1 **5.** Page 10, line 16: after that line insert:

2 “(4) CONTRACT. The secretary may contract with a local governmental unit to
3 implement this section.”.

4 **6.** Page 11, line 4: substitute “15,000,000” for “10,000,000”.

5 **7.** Page 15, line 24: after that line insert:

6 “**SECTION 18k.** 66.0621 (3m) of the statutes is created to read:

7 66.0621 (**3m**) A county in which an electronics and information technology
8 manufacturing zone designated under s. 238.396 (1m) exists may issue bonds under
9 this section whose principal and interest are paid only through sales and use tax
10 revenues imposed by the county under s. 77.70. The county shall be and continue
11 without power to repeal such tax or obstruct the collection of the tax until all such
12 payments have been made or provided for.”.

13 **8.** Page 16, line 18: after that line insert:

14 “**SECTION 19d.** 66.1105 (2) (f) 1. b. of the statutes is amended to read:

15 66.1105 (**2**) (f) 1. b. Financing costs, including, but not limited to, all interest
16 paid to holders of evidences of indebtedness issued to pay for project costs and, any
17 premium paid over the principal amount of the obligations because of the redemption
18 of the obligations prior to maturity, and payments made by the city or village to a
19 county or other municipality that issues obligations to finance project costs of a
20 district pursuant to sub. (20).”.

21 **9.** Page 19, line 15: after “*increments.*” insert “1.”.

22 **10.** Page 19, line 18: after that line insert:

23 “2. No tax incremental district described under this subsection may allocate
24 positive tax increments as provided under sub. (4e) or (6) (d), (dm), (e), or (f).”.

1 **11.** Page 19, line 22: delete the material beginning with that line and ending
2 with page 21, line 2.

3 **12.** Page 29, line 22: delete “67.05 (10m)” and substitute “66.0621 (3m)”.

4 **13.** Page 30, line 8: after that line insert:

5 “**SECTION 34m.** 79.05 (2) (c) of the statutes is amended to read:

6 79.05 (2) (c) Its municipal budget; exclusive of principal and interest on
7 long-term debt and exclusive of revenue sharing payments under s. 66.0305,
8 recycling fee payments under s. 289.645, expenditures of grant payments under s.
9 16.297 (1m), unreimbursed expenses related to an emergency declared under s.
10 323.10, expenditures from moneys received pursuant to P.L. 111-5, and expenditures
11 made pursuant to a purchasing agreement with a school district whereby the
12 municipality makes purchases on behalf of the school district; for the year of the
13 statement under s. 79.015 increased over its municipal budget as adjusted under
14 sub. (6); exclusive of principal and interest on long-term debt and exclusive of
15 revenue sharing payments under s. 66.0305, recycling fee payments under s.
16 289.645, expenditures of grant payments under s. 16.297 (1m), unreimbursed
17 expenses related to an emergency declared under s. 323.10, expenditures from
18 moneys received pursuant to P.L. 111-5, and expenditures made pursuant to a
19 purchasing agreement with a school district whereby the municipality makes
20 purchases on behalf of the school district; for the year before that year by less than
21 the sum of the inflation factor and the valuation factor, rounded to the nearest 0.10
22 percent.”.

23 **14.** Page 30, line 22: after that line insert:

1 “(1m) ELIGIBLE GRANT RECIPIENTS. The persons eligible to apply for and receive
2 grants made by the department under this section shall include institutions of higher
3 education, as defined in s. 106.57 (1) (c).”.

4 **15.** Page 35, line 12: delete “zone.” and substitute “zone in this state. The zone
5 may not include any area outside this state.”.

6 **16.** Page 36, line 10: after “years.” insert “Before certifying a business to
7 receive tax benefits under this subsection, the corporation shall attempt to ensure
8 that the business has sought and is seeking to satisfy certain hiring goals in this
9 state, as identified by the corporation, in connection with the business’s capital
10 expenditures in the zone.”.

11 **17.** Page 36, line 15: after that line insert:

12 “(c) The corporation may not certify a business to claim tax benefits under ss.
13 71.07 (3wm) (b) and 71.28 (3wm) (b) for services performed outside this state.”.

14 **18.** Page 37, line 9: after that line insert:

15 “(fm) The corporation shall cooperate with the legislative audit bureau for
16 purposes of the audit bureau’s performance of its duties under s. 13.94 (1) (u).

17 “(fs) The corporation shall contract with a business certified under sub. (3).”.

18 **19.** Page 37, line 11: delete the material beginning with “certified” and ending
19 with “(3)” on line 12 and substitute “under par. (fs)”.

20 **20.** Page 37, line 17: delete lines 17 to 19.

21 **21.** Page 40, line 12: delete that line.

22 **22.** Page 40, line 14: after that line insert:

23 “**SECTION 59p.** 808.055 of the statutes is created to read:

1 **808.055 Direct review of decisions relating to electronics and**
2 **information technology manufacturing zone. (1) SUPREME COURT APPEAL AS OF**
3 RIGHT. (a) The supreme court shall take jurisdiction of an appeal filed under this
4 section.

5 (b) Notwithstanding s. 808.03, any party may immediately appeal as of right
6 to the supreme court from any order of a circuit court vacating, enjoining, reviewing,
7 or otherwise relating to a decision by a state or local official, board, commission,
8 condemnor, authority, or department concerning an electronics and information
9 technology manufacturing zone designated under s. 238.396 (1m).

10 (c) The parties and the court shall proceed according to the rules governing
11 procedure in the court of appeals, except as described under this section or as
12 otherwise ordered by the supreme court in a particular case. Unless otherwise
13 ordered by the supreme court, the parties shall comply with the requirements for
14 form of papers under s. 809.81.

15 **(2) STAY PENDING APPEAL.** Any order of a circuit court vacating, enjoining,
16 reviewing, or otherwise relating to a decision by a state or local official, board,
17 commission, condemnor, authority, or department concerning an electronics and
18 information technology manufacturing zone designated under s. 238.396 (1m) shall
19 be stayed automatically upon the filing of an appeal as provided under this section.
20 Any party to the proceeding may apply to the supreme court to request that the stay
21 be modified or vacated.

22 **SECTION 59r.** 809.62 (1r) (intro.) of the statutes is amended to read:

23 809.62 **(1r) CRITERIA FOR GRANTING REVIEW.** (intro.) ~~Supreme~~ Except as provided
24 under s. 808.055, supreme court review is a matter of judicial discretion, not of right,
25 and will be granted only when special and important reasons are presented. The

1 following, while neither controlling nor fully measuring the court's discretion,
2 indicate criteria that will be considered:".

3 **23.** Page 40, line 16: delete lines 16 to 23 and substitute:

4 "(1c) The department of transportation may not expend the proceeds of general
5 obligation bonds issued under section 20.866 (2) (uuz) of the statutes unless the state
6 receives an award of federal moneys for the I 94 north-south corridor project under
7 section 84.0145 (3) (b) 1. of the statutes and submits a request to expend the proceeds
8 to the joint committee on finance. The department may not expend the proceeds of
9 general obligation bonds issued under section 20.866 (2) (uuz) of the statutes if,
10 within 14 days of receiving the request to expend proceeds, the joint committee on
11 finance objects to the request and, within 30 days of objecting, the joint committee
12 on finance votes to deny the request to expend proceeds.".

13 (END)