



2019 ASSEMBLY BILL 328

July 3, 2019 - Introduced by Representatives TAUCHEN, VRUWINK, BALLWEG, KNODL, KRUG, KULP, KURTZ, LOUDENBECK, MURSAU, NOVAK, OLDENBURG, PRONSCHINSKE, QUINN, RAMTHUN, RODRIGUEZ, SPREITZER and C. TAYLOR, cosponsored by Senators MARKLEIN, BEWLEY, BERNIER, NASS, SCHACHTNER, TIFFANY and SMITH. Referred to Committee on Jobs and the Economy.

1 **AN ACT to amend** 234.907 (1) (d), 234.907 (1) (f), 234.907 (2) (cm) and 234.907
2 (2) (f); and **to create** 234.907 (2) (L) and 234.907 (4) of the statutes; **relating**
3 **to:** agricultural development loan guarantee program administered by the
4 Wisconsin Housing and Economic Development Authority.

Analysis by the Legislative Reference Bureau

This bill makes several changes to the agricultural development loan guarantee program administered by the Wisconsin Housing and Economic Development Authority and establishes a pilot loan guarantee program within the agricultural development loan guarantee program.

Under WHEDA's existing program, WHEDA may guarantee certain loans made by private lenders for working capital or to finance a physical plant, machinery or equipment, or marketing expenses, used to process or market a product from a raw agricultural commodity produced in this state or to commercially harvest whitefish from Lake Superior. WHEDA may guarantee any amount up to 90 percent of the principal of an eligible loan and may establish a single guarantee percentage for all guaranteed loans or establish different percentages for different eligible loans. However, WHEDA is prohibited from guaranteeing a loan if the total guaranteed principal of all loans to the borrower under the program would exceed \$750,000, or \$100,000 if the loan is for working capital or an item used to commercially harvest whitefish from Lake Superior. Generally, the term of a loan guarantee under the program may not exceed 15 years.

ASSEMBLY BILL 328

This bill makes the following changes to WHEDA's existing agricultural development loan guarantee program:

1. The term of a loan guarantee may not exceed ten years for land and buildings; five years for inventory, equipment, and machinery; and two years for permanent working capital and marketing expenses.

2. The closing fee for a loan guarantee under the program may not exceed 1.5 percent. Current law does not address closing fees.

Additionally, the bill requires WHEDA to allocate \$3,000,000 to a pilot program under which WHEDA may guarantee collection of 25 percent of the principal of an eligible loan or \$750,000, whichever is less. The fixed amount guaranteed is payable to the lender for the entire term of the guarantee regardless of when a default occurs, if a default occurs. In all other respects, a loan guarantee under the pilot program is subject to the requirements of the existing program, as affected by the bill. The pilot program sunsets as of July 1, 2024.

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:

1 **SECTION 1.** 234.907 (1) (d) of the statutes is amended to read:

2 234.907 (1) (d) "Guaranteed loan" means a loan on which the authority
3 guarantees collection under sub. (3) or (4).

4 **SECTION 2.** 234.907 (1) (f) of the statutes is amended to read:

5 234.907 (1) (f) "Percentage of guarantee" means the percentage established by
6 the authority under sub. (3) or (4).

7 **SECTION 3.** 234.907 (2) (cm) of the statutes is amended to read:

8 234.907 (2) (cm) The total guarantee amount of all loans to the borrower that
9 are guaranteed under this section and that are made for working capital or an item
10 necessary to, or used to, commercially harvest whitefish from Lake Superior will not
11 exceed \$100,000. This subsection does not apply to a loan guaranteed under sub. (4).

12 **SECTION 4.** 234.907 (2) (f) of the statutes is amended to read:

