



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBb1388/1
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**ASSEMBLY AMENDMENT 26,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

June 14, 2011 – Offered by Representative KRUSICK.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1172, line 22: after that line insert:

3 “**SECTION 2859b.** 238.02 (1) of the statutes, as created by 2011 Wisconsin Act
4 7, is amended to read:

5 238.02 (1) There is created an authority, which is a public body corporate and
6 politic, to be known as the “Wisconsin Economic Development Corporation.” The
7 corporation’s headquarters shall be located in Milwaukee County. The members of
8 the board shall consist of the governor, who shall serve as chairperson of the board,
9 and 6 members nominated by the governor, and with the advice and consent of the
10 senate appointed, to serve at the pleasure of the governor; 3 members appointed by
11 the speaker of the assembly, consisting of one majority and one minority party
12 representative to the assembly, appointed as are the members of standing

1 committees in the assembly, and one person employed in the private sector, to serve
2 at the speaker's pleasure; and 3 members appointed by the senate majority leader,
3 consisting of one majority and one minority party senator, appointed as are members
4 of standing committees in the senate, and one person employed in the private sector,
5 to serve at the majority leader's pleasure. The secretary of administration and the
6 secretary of revenue shall also serve on the board as nonvoting members.

7 **SECTION 2859g.** 238.02 (1) of the statutes, as created by 2011 Wisconsin Act 7,
8 is amended to read:

9 238.02 (1) There is created an authority, which is a public body corporate and
10 politic, to be known as the "Wisconsin Economic Development Corporation." The
11 members of the board shall consist of the governor, who shall serve as chairperson
12 of the board, and 6 members nominated by the governor, and with the advice and
13 consent of the senate appointed, ~~to serve at the pleasure of the governor for staggered~~
14 3-year terms; 3 members appointed by the speaker of the assembly, consisting of one
15 majority and one minority party representative to the assembly, appointed as are the
16 members of standing committees in the assembly, and one person employed in the
17 private sector, ~~to serve at the speaker's pleasure~~ appointed for staggered 3-year
18 terms; and 3 members appointed by the senate majority leader, consisting of one
19 majority and one minority party senator, appointed as are members of standing
20 committees in the senate, and one person employed in the private sector, ~~to serve at~~
21 ~~the majority leader's pleasure~~ appointed for staggered 3-year terms. The secretary
22 of administration and the secretary of revenue shall also serve on the board as
23 nonvoting members.

24 **SECTION 2859k.** 238.02 (3) of the statutes, as created by 2011 Wisconsin Act 7,
25 is amended to read:

1 238.02 (3) A chief executive officer shall be nominated by the governor, and
2 with the advice and consent of the senate appointed, to serve at the pleasure of the
3 governor. The board may delegate to the chief executive officer any powers and
4 duties the board considers proper. The chief executive officer shall receive such
5 compensation as may be determined by the board, except that the board may not
6 include any bonus or incentive payment in the compensation paid to the chief
7 executive officer and the board may not pay the chief executive officer more than a
8 state employee with comparable duties.”.

9 **2.** Page 1173, line 3: after that line insert:

10 “**SECTION 2859n.** 238.03 (3) (a) of the statutes, as created by 2011 Wisconsin
11 Act 7, is amended to read:

12 238.03 (3) (a) That each recipient of a grant ~~or~~, loan, or tax credit under the
13 program of at least \$100,000 \$100 submit to the corporation a verified statement
14 describing the recipient’s expenditure of the grant or loan funds, or use of the tax
15 credit, signed by both an independent certified public accountant and the director or
16 principal officer of the recipient to attest to the accuracy of the verified statement.
17 The board shall also require the recipient of such a grant ~~or~~ loan, or tax credit to make
18 available for inspection the documents supporting the verified statement. The board
19 must include the requirement in the any contract with grant ~~or~~, loan, or tax credit
20 recipients.

21 **SECTION 2859nn.** 238.03 (3) (b) (intro.) of the statutes, as created by 2011
22 Wisconsin Act 7, is amended to read:

23 238.03 (3) (b) (intro.) That the board, if a recipient of a grant ~~or~~, loan, or tax
24 benefit under the program submits false or misleading information to the

1 corporation or fails to comply with the terms of a contract entered into with the
2 corporation, without providing satisfactory explanation for the noncompliance, do all
3 of the following:

4 **SECTION 2859p.** 238.03 (4) of the statutes, as created by 2011 Wisconsin Act 7,
5 is created to read:

6 238.03 (4) (a) The corporation shall coordinate its economic development
7 programs with agencies under ss. 23.167, 36.09 (1) (am), 38.04 (1m), 41.11 (1g), 84.01
8 (6m), 93.07 (18), and 234.032.

9 (b) The corporation shall collaborate with the department of natural resources,
10 the Board of Regents of the University of Wisconsin System, the technical college
11 system board, the department of tourism, the department of transportation, the
12 department of agriculture, trade, and consumer protection, and the Wisconsin
13 housing and economic development authority to facilitate the reporting required
14 under ss. 23.169, 36.11 (29r), 38.04 (10m), 41.11 (1r), 84.01 (11m), 93.07 (20), and
15 234.255.

16 **SECTION 2859pq.** 238.04 (5) of the statutes, as created by 2011 Wisconsin Act
17 7, is repealed.

18 **SECTION 2859q.** 238.04 (8) of the statutes, as created by 2011 Wisconsin Act 7,
19 is amended to read:

20 238.04 (8) Employ any officers, agents, and employees that it may require and
21 determine their qualifications, duties, and compensation. The board may not
22 include any bonus or incentive payment in the compensation paid to any employee
23 and the board may not pay any employee more than a state employee with
24 comparable duties.

25 **SECTION 2859r.** 238.07 (2) (i) of the statutes is created to read:

1 238.07 (2) (i) An accounting of the location, by municipality, of each job created
2 or retained in the state in the previous fiscal year as a result of the program.

3 **SECTION 2859t.** 238.07 (2) (j) of the statutes is created to read:

4 238.07 (2) (j) An accounting of the industry classification, by municipality, of
5 each job created or retained in the state in the previous fiscal year as a result of the
6 program.

7 **SECTION 2859u.** 238.07 (2) (k) of the statutes is created to read:

8 238.07 (2) (k) A list of all employees by job classification and the compensation
9 paid to those employees, and a list of all consultants or other independent contractors
10 that performed work for the corporation, including the kind of work performed and
11 the compensation paid to the consultant or other independent contractor.

12 **SECTION 2859v.** 238.07 (4) of the statutes is created to read:

13 238.07 (4) Annually, no later than October 1, the board shall submit to the chief
14 clerk of each house of the legislature, for distribution to the legislature under s.
15 13.172 (2), a report listing the compensation for each position at the corporation,
16 including an accounting of any increase in compensation from the previous year, and
17 the administrative expenditures for the previous fiscal year.”.

18 (END)