

1985 Senate Bill 52

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1985 Wisconsin Act 299

AN ACT *to amend* 66.521 (10) (b), 66.521 (11) (b) 1, 66.521 (11) (b) 2 and 560.03 (15) (intro.); *to repeal and recreate* 234.65 (3) (a); and *to create* 66.521 (4m), 234.65 (3r) and 560.034 of the statutes, *relating to* job impact estimates applied to certain private activity bonds issued by the Wisconsin housing and economic development authority and cities, villages and towns and granting rule-making authority.

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85 WisACT 299

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

SECTION 1. 66.521 (4m) of the statutes is created to read:

66.521 (4m) JOB PROTECTION ESTIMATES. (a) A municipality may not enter into a revenue agreement with any person unless:

1. The person, at least 30 days prior to entering into the revenue agreement, has given a notice of intent to enter into the agreement, on a form prescribed under s. 560.034 (1), to the department of development and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement; and

2. The municipality has received an estimate issued under s. 560.034 (5) (a), and the department of development has estimated whether the project which the municipality would finance under the revenue agreement is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

(b) Any revenue agreement which an eligible participant enters into with a municipality to finance a project shall require the eligible participant to submit to the department of development within 12 months after the project is completed or 2 years after a revenue bond is issued to finance the project, whichever is sooner, on a form prescribed under s. 560.034 (1), the net number of jobs eliminated, created or maintained on the project site and elsewhere in this state as a result of the project.

(c) Nothing in this subsection may be deemed to require a person with whom a municipality has entered into a revenue agreement to satisfy an estimate under par. (a) 2.

SECTION 2. 66.521 (10) (b) of the statutes is amended to read:

66.521 (10) (b) Upon the adoption of an initial resolution under this section, public notice of such adoption shall be given to the electors of the municipality prior to the issuance of the bonds therein described, by publication as a class 1 notice, under ch. 985. The notice need not set forth the full contents of the resolution, but shall state the maximum amount of the bonds; the name of the eligible participant; the purpose thereof, of the bonds; the net number of jobs which the project which the municipality would finance with the bond issue is expected to eliminate, create or maintain on the project site and elsewhere in this state which is required to be shown by the proposed eligible participant on the form submitted under sub. (4m) (a) 1; and that the resolution was adopted under this section. A form of the public notice shall be attached to the initial resolution. Prior to adoption of the initial resolution, the open meeting notice given to members of the public under s. 19.84 shall indicate that information with respect to the job impact of the project will be available at the time of

consideration of the initial resolution. No other public notice of the authorization, issuance or sale of bonds under this section is required.

SECTION 3. 66.521 (11) (b) 1 of the statutes is amended to read:

66.521 (11) (b) 1. Except as provided by subd. 2, construction work which is let by contract and which has an estimated cost exceeding \$5,000 may be financed with bonds only if the contract is let to the lowest responsible bidder and proposals for the contract are advertised by publishing a class 2 notice under ch. 985. ~~The~~

1m. The contract shall include a clause prohibiting discrimination in employment and subcontracting. No facility constructed with industrial revenue bonds shall be used for purposes any purpose which discriminate in access or employment based on race, creed, sex, handicap, ethnic origin, age, or marital status includes any act of employment discrimination as specified under s. 111.322.

SECTION 4. 66.521 (11) (b) 2 of the statutes is amended to read:

66.521 (11) (b) 2. The governing body of a municipality may waive ~~this paragraph~~ subd. 1 with respect to a particular project by adopting an ordinance or resolution containing a statement of the reasons for the waiver and a description of the project for which waiver is made and publishing it as a class 1 notice under ch. 985.

SECTION 5. 234.65 (3) (a) of the statutes is repealed and recreated to read:

234.65 (3) (a) 1. The business which will receive the loan, at least 30 days prior to signing of the loan contract, has given notice of intent to sign the contract, on a form prescribed under s. 560.034 (1), to the department of development and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement; and

2. The authority has received an estimate issued under s. 560.034 (5) (b), and the department of development has estimated whether the project which the authority would finance under the loan is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

3. Nothing in this paragraph may be deemed to require a business signing a loan contract to satisfy an estimate under subd. 2.

SECTION 6. 234.65 (3r) of the statutes is created to read:

234.65 (3r) Any economic development loan which a business receives from the authority under this section to finance a project shall require the business to submit to the department of development within 12 months after the project is completed or 2 years after a loan is issued to finance the project, whichever is sooner, on a form prescribed under s. 560.034 (1), the net number of jobs eliminated, created or maintained

on the project site and elsewhere in this state as a result of the project.

SECTION 7. 560.03 (15) (intro.) of the statutes is amended to read:

560.03 (15) (intro.) Annually, submit a summary of the employment impact estimates required under s. 560.034 (2) and a report to the legislature analyzing the use of industrial revenue bond financing under s. 66.521 and accurately reporting the benefits of that use, including the effect on employment in this state including, but not limited to:

SECTION 8. 560.034 of the statutes is created to read:

560.034 Employment impact estimates. (1) The department shall prescribe the notice forms to be used under ss. 66.521 (4m) (a) 1 and 234.65 (3) (a) 1. The department shall include on the forms a requirement for information on the number of jobs the person submitting the notice expects to be eliminated, created or maintained on the project site and elsewhere in this state by the project which is the subject of the notice. The department shall prescribe the forms to be used under ss. 66.521 (4m) (b) and 234.65 (3r).

(2) If the department receives a notice under s. 66.521 (4m) (a), the department shall estimate, no

later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

(3) If the department receives a notice under s. 234.65 (3) (a) 1, the department shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

(5) The department shall issue an estimate made:

(a) Under sub. (2), to the city, village or town which will issue the bonds to finance the project which is the subject of the estimate.

(b) Under sub. (3), to the Wisconsin housing and economic development authority.

SECTION 9. Initial applicability. This act first applies to any bond issue the initial resolution for which is adopted 10 days after the department of development first prescribes notice forms under section 560.034 (1) of the statutes, as created by this act.