

**1999 DRAFTING REQUEST**

**Bill**

Received: **10/13/98**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-7329**

By/Representing: **Justus**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact: **Julie Keal 6-6748**

Alt. Drafters:

Subject: **Munis - miscellaneous  
Bonding - municipal**

Extra Copies: **Dept of Commerce**

**Topic:**

DOA:.....Justus - Industrial revenue bonds, bond counsel fee requirement

**Instructions:**

See Attached. Remove requirement that bond counsel provide to Dept of Commerce a good faith estimate of attorneys fees before IRBs may be issued. See s. 66.521 (10) (g)

**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>
/P1	shoveme 10/13/98	gilfokm 10/13/98	ismith 10/14/98	_____	lrb_docadmin 10/14/98		Local
/P2	shoveme 11/23/98	gilfokm 11/23/98	martykr 11/24/98	_____	lrb_docadmin 11/24/98		Local

FE Sent For:

<END>

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<i>1 P2 MES 11/23</i> <i>pa-11-23</i> <i>km 23</i>							

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1?	shoveme	PI-10-13	IS 10/14	IS/KM 10/14			
<i>Handwritten: 1/PI MES 10/13</i>							

FE Sent For:

<END>

**MEMORANDUM**

**DATE:** October 1, 1998

6-7329

**TO:** Sarah Justus, Executive Budget and Policy Analyst  
State Budget Office  
Department of Administration

**FROM:** Louis Cornelius, Director  
Bureau of Budget and Policy

**SUBJECT:** STATUTORY LANGUAGE REQUEST FOR 1999-2001 BIENNIAL BUDGET

As I noted when we submitted the 1999-2001 biennial budget request, we are submitting our statutory language requests to you to send to the Legislative Reference Bureau. Because many budget decisions were made in the latter stages of the budget development process, it appeared more efficient to have the drafts sent by and returned to you.

You will notice that one statutory change we proposed with our budget submittal, the "Transfer of Hospital, Nursing Home and Community-Based Residential Facilities (CBRF) Plan Review and Construction Inspection Responsibilities from the Department of Health and Family Services to the Department of Commerce, is not included. At this point, there are discussions taking place between the two agencies regarding the scope and details. When these discussions are concluded, I will send you the final resolution. In the interim, I will keep you informed on the progress of the discussions.

Finally, if you or the drafter have any specific questions on the proposed statutory changes, please contact Bob DuPont on items relating to the Division of Safety and Buildings (266-8984), Julie Keal on items relating to the Divisions of Community Development, International, and Environmental and Regulatory Services (266-6748) and me on items relating to the Divisions of Economic Development, Marketing, Advocacy and Technology Development, and Administrative Services. I can be reached at 266-8629.

We are continuing to work on the background papers and on responses to your questions.

B. Fees for Services Provided to Non-Main Street Communities.

med  
Allow the Main Street program to charge fees for services it provides to non-Main Street communities. These services would include: help in getting organized, retail business recruitment workshops, marketing plan development assistance, setting up business retention programs, and design assistance. The program currently provides these services on a limited basis. Fee authority would allow the program to provide more services, and to use the fees collected to hire staff on a limited term basis to do so.

*Proposed change:* Amend § 560.081 (2) (h) to read:

(h) Provide training, technical assistance and information on the revitalization of business areas to municipalities which do not participate in the state main street program. The department may charge reasonable fees for these services.

C. Industrial Revenue Bond Program.

MES  
low  
Delete the bond counsel fee letter requirement. Current law states that industrial revenue bonds may not be issued unless, prior to the initial resolution, a good faith estimate of attorney fees is filed with the clerk of the municipality and the Department of Commerce. This requirement should be eliminated because it longer serves its original intent. The Department has not received requests for the estimates, the estimates do not necessarily reflect the final fees, and the provision simply delays the bond issuance process.

*Proposed change:* Amend § 66.521 (10) (g) to read:

(g) Bonds may not be issued unless prior to adoption of an initial resolution a document which provides a good faith estimate of attorney fees which will be paid from bond proceeds is filed with the clerk of the municipality and the department of commerce.

D. Development Zones Tax Credits -- Refundability for Native American Businesses.

MES  
low  
Restore refundability for Native American businesses located on tribal lands and tribal enterprises. Without refundability, the development zones program does not provide a benefit to any of the Native American businesses located in the two



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0570/P1  
MES... King

King  
LNR

DOA:.....Justus - Industrial revenue bonds, bond counsel fee requirement  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1

AN ACT...; relating to: *Don't raise tax.*  
*the filing of a bond counsel fee estimate for industrial revenue bonds.*

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**  
**ECONOMIC DEVELOPMENT**

Under current law, several steps must be taken before a city, village or town (municipality) may issue an industrial revenue bond. One of those steps requires that, prior to the adoption of an initial resolution, a document which provides a good faith estimate of attorney fees which will be paid from bond proceeds is filed with the municipal clerk and the department of commerce.

This bill deletes the requirement that the document be filed with the department of commerce.

For further information see the *local* 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:*

2  
3  
4

**SECTION 1.** 66.521 (10) (g) of the statutes is amended to read:  
66.521 (10) (g) Bonds may not be issued unless prior to adoption of an initial resolution a document which provides a good faith estimate of attorney fees which

1 will be paid from bond proceeds is filed with the clerk of the municipality and the  
2 ~~department of commerce.~~

**History:** 1973 c. 265; 1977 c. 28; 1979 c. 32 s. 92 (9); 1979 c. 34, 221, 350, 355; 1979 c. 361 s. 112; 1979 c. 362 ss. 3 to 12, 16, 17, 18; 1981 c. 314; 1983 a. 24, 27; 1983 a. 189 ss. 63 to 65, 329 (14); 1983 a. 207 s. 93 (8); 1983 a. 532 s. 36; 1985 a. 29, 222, 285; 1985 a. 297 s. 76; 1985 a. 299; 1987 a. 27; 1989 a. 192; 1991 a. 39, 316; 1993 a. 122, 124, 453; 1995 a. 27 ss. 9116 (5), 9130 (4); 1995 a. 201, 225, 227, 332; 1997 a. 3, 27, 35, 39.

3 (END)

*plain space*

**CORRESPONDENCE MEMORANDUM**

**STATE OF WISCONSIN  
Department of Administration**

**Date:** November 20, 1998

**To:** Steve Miller  
Chief, Legislative Reference Bureau

**From:** Sarah Justus  
State Budget Office

**Subject:** Modification to LRB#0570

Please modify LRB Draft #0570 to repeal 66.521 (10) (g) in its entirety.

Thanks.  
Sarah Justus  
6-7329

Post-it* Fax Note	7671	Date	11/20	# of pages	1
To	Steve Miller	From	Sarah		
Co./Dept.	LRB	Co.			
Phone #		Phone #	6-7329		
Fax #	4-8522	Fax #			





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0570/P2  
MES:kmg/AM

RMR

DOA:.....Justus - Industrial revenue bonds, bond counsel fee requirement

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ~~relating to:~~ relating to: the filing of a bond counsel fee estimate for industrial  
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Fix component

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0570/P2  
MES:kmg:km

DOA:.....Justus – Industrial revenue bonds, bond counsel fee requirement  
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3 SECTION 1. 66.521 (10) (g) of the statutes is repealed.

4 (END)

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**NOTE TO DRAFTING FILE for LRB-0570:**

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

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FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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