

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-AB576)**

Received: 10/23/2001

Received By: kahlepj

Wanted: Today

Identical to LRB:

For: Mark Miller (608) 266-5342

By/Representing: himself

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Econ. Development - misc.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Miller@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Requirement to maintain headquarters in state

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**Instructions:**

See Attached

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**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>
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FE Sent For:

<END>

**Kahler, Pam**

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**From:** Miller, Mark  
**Sent:** Monday, October 22, 2001 8:17 PM  
**To:** Kahler, Pam  
**Cc:** Dykman, Peter  
**Subject:** AB576 request for amendments

**Importance:** High

Ms Kahler,

Please draft the following amendments to AB 576, the Airline Loan Bill. The bill is scheduled for Assembly floor action Tuesday. Because of the extremely short time available to draft amendments, I copied this email to Peter Dykman as a precaution. Please call to clarify any questions. Thank you.

Mark Miller

1. page 6, Borrower requirements [234.80 (3)], add the following requirements as individual amendments: *0804*
  - a. The term of the loan does not exceed September 11, 2008.
  - b. 25% of the borrower's employees are represented by a union.
2. Borrower must enter into a legally binding agreement with the department that for the first two years of the loan, any officer or employee of the company whose total compensation exceeded \$300,000 in calendar year 2000, shall not receive annual compensation in excess of that amount. Nor can such employees receive severance pay or other benefits exceeding twice the total compensation received in 2000. This amendment is meant to parallel the federal restrictions, but with a slightly longer effective date. In addition, while the guarantee is in effect after the first two years, such officers and employees are limited to cost-of-living increases in compensation. Limitation on severance and benefits is no longer in effect after two years. *0805*
- 2a. Similar to above but identical to Federal restrictions on executive compensation (no increase in compensation during the two year period prior to September 11, 2003, limitation on severance pay and benefits to twice that amount). *0806*
3. Borrower must enter an agreement with the department to maintain their headquarters in Wisconsin for the duration of the loan. *0807*
4. If the borrower is an airline operating a hub in Wisconsin, the borrower must agree to maintain hub operations in Wisconsin for the duration of the loan. *0808*
- Failure to observe the conditions (2, 2a, 3 & 4) above result in a forfeiture equal to 10% of the guaranteed amount. *no sense ↑*
5. Prohibit the department from reducing the amount of loan guarantees available to other programs backed by WRDF without approval by Joint Finance Committee.

**Mark Miller**

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Rep.Miller@legis.state.wi.us



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBa0807/1

PTK  
95

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO 2001 ASSEMBLY BILL 576

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At the locations indicated, amend the bill as follows:

**1.** Page 5, line 20: after that line insert:

“(am) The borrower enters into the agreement under sub. (3m).”

**2.** Page 7, line 3: after that line insert:

“(3m) HEADQUARTERS AGREEMENT. (a) An eligible borrower shall enter into an agreement with the authority that requires the eligible borrower to maintain its headquarters in this state for the duration of the loan term.

(b) If an eligible borrower fails to maintain its headquarters in this state as provided in par. (a), the eligible borrower shall be required to pay to the authority 10% of the original principal amount guaranteed under this section with respect to the eligible borrower.”

(END)