AN ACT to create 15.155 (2m), 20.143 (1) (f), 20.292 (1) (br), 38.04 (25) and 560.277 of the statutes; relating to: creating a Manufacturing Competitiveness Grant Program and a Manufacturing Competitiveness Board, providing an exemption from emergency rule procedures, granting rule-making authority, and making appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a Manufacturing Competitiveness Grant Program (program), which is administered by a Manufacturing Competitiveness Board (board) created under the bill. The bill provides $9,500,000 of general purpose revenue to fund grants under the program, although the aggregate total of all initial grants is limited to $2,500,000.

Under the bill, the board may make grants to the Board of Regents of the University of Wisconsin System, the Technical College System Board, and certain entities that assist manufacturers. The bill specifies that a trade association or chamber of commerce is not eligible to receive a grant under the program. A grant may be used to fund, at least in part, any project that assists a manufacturer in accomplishing improved productivity, reduced costs of operation, the use of new technology in the manufacturing process, the improvement of the skills of its workforce, the creation of new products, sales in new markets, or any other goal approved by the board that benefits manufacturing in this state.

The bill also provides $500,000 to the Technical College System Board to contract with and award grants to the tax-exempt organizations described above for
the purpose of conducting surveys to determine what manufacturers need in order to improve productivity and stay competitive and to provide technical assistance to manufacturers.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 15.155 (2m) of the statutes is created to read:

15.155 (2m) MANUFACTURING COMPETITIVENESS BOARD. (a) Members. There is created a manufacturing competitiveness board, attached to the department of commerce under s. 15.03, consisting of all of the following:

1. The secretary of commerce or his or her designee.
2. The secretary of workforce development or his or her designee.
3. The president of the Board of Regents of the University of Wisconsin System or his or her designee.
4. The president of the technical college system board or his or her designee.
5. A member of the public representing organized labor.
6. A member of the public representing manufacturers.
7. A member of the public representing the public interest.
8. The chairperson of the board of directors of each of 2 entities, the primary purpose of which is to assist manufacturers in improving productivity and competing more effectively.

(b) Terms. The members appointed under par. (a) 5., 6., and 7. shall be appointed for 3–year terms.

SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:
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20.143 Commerce, department of

(1) ECONOMIC AND COMMUNITY DEVELOPMENT

(f) Manufacturing Competitiveness

Grant Program GPR C 9,500,000 −0−

20.292 Technical college system board

(1) TECHNICAL COLLEGE SYSTEM

(br) Manufacturing Competitiveness

Grant Program GPR C 500,000 −0−

SECTION 3. 20.143 (1) (f) of the statutes is created to read:

20.143 (1) (f) Manufacturing Competitiveness Grant Program. As a continuing appropriation, the amounts in the schedule for grants under s. 560.277.

SECTION 4. 20.292 (1) (br) of the statutes is created to read:

20.292 (1) (br) Manufacturing Competitiveness Grant Program. As a continuing appropriation, the amounts in the schedule for the Manufacturing Competitiveness Grant Program under s. 38.04 (25).

SECTION 5. 38.04 (25) of the statutes is created to read:

38.04 (25) MANUFACTURING COMPETITIVENESS GRANT PROGRAM. (a) In this subsection, “eligible organization” means an organization that satisfies the criteria under s. 560.277 (1) (b) 1. to 4.

(b) The board shall contract with eligible organizations for the purpose of conducting surveys to determine what manufacturers need to improve productivity and stay competitive.
(c) The board shall award grants to eligible organizations to provide technical assistance to manufacturers.

**SECTION 6.** 560.277 of the statutes is created to read:

560.277 Manufacturing Competitiveness Grant Program. (1)

**DEFINITIONS.** (a) “Board” means the manufacturing competitiveness board.

(b) “Eligible organization” means the Board of Regents of the University of Wisconsin System, the technical college system board, an entity, other than a trade association or chamber of commerce, the primary purpose of which is to assist manufacturers in improving productivity and competing more effectively, and any entity that satisfies all of the following conditions:

1. The entity is described under section 501 (c) (3) of the Internal Revenue Code and is exempt from taxation under section 501 (a) of the Internal Revenue Code.

2. The primary purpose of the entity is to assist manufacturers located in this state.

3. The entity’s primary office is located in this state.

4. The entity is not a trade association or chamber of commerce.

(c) “Eligible project” means a project that assists a manufacturer in accomplishing any of the following:

1. Improved productivity.

2. Reduced costs of operation.

3. The use of new technology in the manufacturing process.

4. The improvement of the skills of its workforce.

5. The creation of new products.

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7. Any other goal approved by the board that benefits manufacturing in this state.

(2) GRANTS AUTHORIZED. The board may make a grant to an eligible organization for the purpose of funding, at least in part, an eligible project. The total of all grants under this subsection resulting from initial applications may not exceed $2,500,000. If an eligible organization receives a grant under this subsection, any subsequent grant made to that organization under this subsection may not exceed 3 times the amount of the preceding grant.

(3) APPLICATION. (a) Initial application. To obtain a grant under sub. (2), an eligible organization shall apply to the board in the form and manner prescribed by rule of the department. Each application for an initial grant under sub. (2) shall include all of the following information:

1. The project budget.

2. A description of the project, including a quantifiable goal of the project.

3. A proposed method for measuring progress toward the goals of the project.

4. The name and business address of each manufacturer to which assistance will be provided.

5. Any other relevant information required by the board or by rule of the department.

(b) Subsequent applications. If an eligible organization receives a grant under sub. (2), the organization may apply for another grant under sub. (2) after the date on which the organization receives 75 percent of the previously authorized grant amount. An application under this paragraph shall be submitted in the form and manner prescribed by rule of the department and shall include all of the information described in par. (a) 1. to 5.
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(4) REPORTING REQUIREMENTS. An eligible organization that receives a grant under sub. (2) shall file an annual report with the board in the form and manner prescribed by rule of the department.

(5) RULES. The department shall promulgate rules for the board’s administration of this section.


(1) RULES.

(a) Emergency rules. Using the procedure under section 227.24 of the statutes, the department of commerce may promulgate rules required under section 560.277 of the statutes, as created by this act, for the period before the effective date of the rules submitted under paragraph (b), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(b) Permanent rules. The department of commerce shall submit in proposed form the rules required under section 560.277 of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this paragraph.

(2) INITIAL MEMBERS OF MANUFACTURING COMPETITIVENESS BOARD. Notwithstanding the length of terms specified for the manufacturing competitiveness board under section 15.155 (2m) (b) of the statutes, as created by this act, the initial member appointed under section 15.155 (2m) (a) 5. of the statutes, as created by this act, shall be appointed for a term that expires on May 1, 2005, the
initial member appointed under section 15.155 (2m) (a) 6. of the statutes, as created by this act, shall be appointed for a term that expires on May 1, 2006, and the initial member appointed under section 15.155 (2m) (a) 7. of the statutes, as created by this act, shall be appointed for a term that expires on May 1, 2007.

(3) **One-time funding.**

(a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2005–07 biennial budget bill, the technical college system board may not include a request for continuation of funding for the appropriation under section 20.292 (1) (br) of the statutes, as created by this act.

(b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2005–07 biennial budget bill, the department of commerce may not include a request for continuation of funding for the appropriation under section 20.143 (1) (f) of the statutes, as created by this act.

(END)