

2007 DRAFTING REQUEST

Senate Amendment (SA-SB434)

Received: 02/18/2008

Received By: tkuczens

Wanted: As time permits

Identical to LRB:

For: Jim Sullivan (608) 266-2512

By/Representing: Nicole Hudzinski

This file may be shown to any legislator: NO

Drafter: tkuczens

May Contact:

Addl. Drafters:

Subject: Econ. Development - misc.

Extra Copies:

Submit via email: YES

Requester's email: Sen.Sullivan@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov
pam.shannon@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Economic development accountability and reporting requirements

Instructions:

See Attached

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>

2007 DRAFTING REQUEST

Senate Amendment (SA-SB434)

Received: 02/18/2008

Received By: tkuczens

Wanted: As time permits

Identical to LRB:

For: Legislative Council - IND 266-2680

By/Representing: Pam Shannon

This file may be shown to any legislator: NO

Drafter: tkuczens

May Contact:

Addl. Drafters:

Subject: Econ. Development - misc.

Extra Copies:

Submit via email: YES

Requester's email: pam.shannon@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

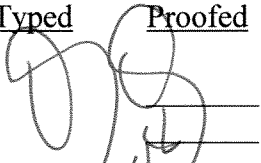
Topic:

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/1	tkuczens	1 js 2/18/08					

FE Sent For:

<END>

Kuczenski, Tracy

From: Shannon, Pam
Sent: Friday, February 15, 2008 1:04 PM
To: Hudzinski, Nicole; Matthews, Pam; Buschman, Sara; Wilson, Danielle
Cc: Kuczenski, Tracy; Matthias, Mary; Grosz, Scott; Chrisman, James; Stuiber, Paul
Subject: Companion simple amendment to AB 741/SB 434

Hi all,

In response to questions I've been getting, I would suggest that companion simple amendments be drafted to AB 741 and SB 434 to do the following:

1. Recoupment, Withholding and Penalties. Substitute "forfeiture" wherever the bills refer to "fine or penalty". The state courts person (Nancy Rottier) who contacted Sen. Sullivan's office correctly points out that "forfeiture" should be used to refer to a civil penalty, rather than "fine", and the word "penalty" does not seem to add anything. I don't think we need any language on *criminal* sanctions (which the workgroup seemed interested in and which we were addressing using "fine"), because current law permits state agency heads to refer cases involving breaches of contract to the Department of Justice for possible prosecution [s. 165.25 (2)].

2. Reporting Requirements. Add the following two items to the list of topics to be addressed in the comprehensive annual report from the eight state agencies: (a) "the recipients of tax benefits allocated and verified under the program in the previous fiscal year"; and (b) "the amount of tax benefits allocated and verified under the program in the previous fiscal year." These two items are currently included in the reporting requirement for the development zone consolidation bills (AB 794 and SB 480) because they specifically address information that would be of interest regarding the new tax benefit program.

If either AB 741 or SB 434 is enacted, and neither AB 794 nor SB 480 is enacted, these additional two items to be reported on tax benefits would relate to the *current* development zone programs, as there would not be a new (consolidated) tax benefit program. Tracy Kuczenski and I don't believe that adding these items is absolutely necessary, because under AB 741/ SB 484 as drafted, Commerce would still have to report on *all* of its economic development programs, which would include the current development zone ("tax benefit") programs. However, adding this language gives more specific guidance as to what must be reported.

*****NOTE:** Tracy is planning to draft the companion amendments--if *Nicole and Pam authorize going ahead with them as described*-- and is aware that it must be available by Tuesday morning at the latest, for 24-hour advance distribution to Rep. Strachota's committee (for her Wednesday exec). **Nicole and Pam:** please let me know if you want the amendments drafted and if so, do you each want to be the requester for your respective amendment, or, do you want me to be the requester, as I was for the bills? Please let me know as soon as possible and I'll pass the word on to Tracy.***

Feel free to call or drop me a note if you have any questions. I'll be here until about 2:30 today and can be reached the rest of the day at 213-3067.

Thanks and have a great (though yet another snowy) weekend.

Pam Shannon
Senior Staff Attorney
Wisconsin Legislative Council
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pam.shannon@legis.wisconsin.gov

2/18/08 T. conf. w/ Pam Shannon
→ draft companion amendments w/
Pam S. as requester.



State of Wisconsin
2007 - 2008 LEGISLATURE

1270
LRBa1269/1
TKK: /:.....

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SENATE
~~ASSEMBLY~~ AMENDMENT,
TO 2007 ~~ASSEMBLY~~ BILL 741 ^{Re 434}
SENATE

Billist ✓

in 2/18/08
TODAY
identical to LRBa1269

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 10, line 16: delete "fine or penalty" and substitute "forfeiture".
 - 3 2. Page 12, line 10: delete "fine or penalty" and substitute "forfeiture".
 - 4 3. Page 14, line 17: delete "fine or penalty" and substitute "forfeiture".
 - 5 4. Page 16, line 21: delete "fine or penalty" and substitute "forfeiture".
 - 6 5. Page 18, line 23: delete "fine or penalty" and substitute "forfeiture".
 - 7 6. Page 20, line 25: delete "fine or penalty" and substitute "forfeiture".
 - 8 7. Page 23, line 8: delete "fine or penalty" and substitute "forfeiture".
 - 9 8. Page 27, line 2: delete "fine or penalty" and substitute "forfeiture".
 - 10 9. Page 27, line 20: after that line insert:
 - 11 "5m. The amount of tax benefits allocated and verified under the program in
 - 12 the previous fiscal year."

