



**ASSEMBLY AMENDMENT 7,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2009 ASSEMBLY BILL 641**

April 12, 2010 – Offered by Representative MOLEPSKE JR..

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 1, line 12: after “credits;” insert “modifying the early stage seed and  
3 jobs tax credits;”.

4           **2.** Page 2, line 9: before that line insert:

5           “**SECTION 1g.** 15.155 (2) (c) of the statutes is created to read:

6           15.155 **(2)** (c) The board shall do all of the following:

7           1. Consult with the department of commerce on strategic economic policy for  
8 the state.

9           2. Suggest legislation to achieve strategic economic policy objectives.”.

10          **3.** Page 2, line 9: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

11          **4.** Page 2, line 11: after that line insert:

1     **“20.143 Commerce, department of**

2     (1)    ECONOMIC AND COMMUNITY DEVELOPMENT

3     (cp)   Rural outsourcing grants            GPR     B        250,000     250,000”.

4           **5.** Page 3, line 10: after that line insert:

5           **“SECTION 2g.** 20.143 (1) (cp) of the statutes is created to read:

6           20.143 **(1)** (cp) *Rural outsourcing grants.* Biennially, the amounts in the  
7     schedule for rural outsourcing grants under 2009 Wisconsin Act .... (this act), section  
8     45 (1) and to make expenditures authorized under 2009 Wisconsin Act .... (this act),  
9     section 45 (1) (c).

10          **SECTION 2r.** 20.143 (1) (cp) of the statutes, as created by 2009 Wisconsin Act  
11     .... (this act), is repealed.”.

12          **6.** Page 3, line 20: before that line insert:

13          **“SECTION 4m.** 20.143 (1) (gc) (title) of the statutes, as affected by 2009  
14     Wisconsin Act 28, is amended to read:

15          20.143 **(1)** (gc) (title) ~~*Regulatory ombudsman center*~~ *Office of regulatory*  
16     *assistance.*”.

17          **7.** Page 9, line 4: after that line insert:

18          **“SECTION 23d.** 71.07 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act  
19     28, is amended to read:

20          71.07 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
21     this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January  
22     1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
23     any credits reallocated under s. 560.205 (3) (d).

24          **SECTION 23g.** 71.07 (5b) (b) 1. of the statutes is amended to read:

1           71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject  
2 to the limitations provided under this subsection and s. 560.205, and except as  
3 provided in subd. 2., a claimant may claim as a credit against the tax imposed under  
4 ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent of the claimant's  
5 investment paid to a fund manager that the fund manager invests in a business  
6 certified under s. 560.205 (1), except that, for taxable years beginning after  
7 December 31, 2009, and before January 1, 2014, a claimant may claim 40 percent of  
8 the claimant's investment paid to a fund manager that the fund manager invests in  
9 a business certified under s. 560.205 (1), if the fund manager has invested no more  
10 than \$500,000 in the business and the business has received no more than  
11 \$2,000,000 in investments that have qualified for credits under this subsection or s.  
12 71.28 (5b) or 71.47 (5b).

13           **SECTION 23h.** 71.07 (5b) (b) 2. of the statutes is amended to read:

14           71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or  
15 tax-option corporation, the computation of the 25 or 40 percent limitation under  
16 subd. 1. shall be determined at the entity level rather than the claimant level and  
17 may be allocated among the claimants who make investments in the manner set  
18 forth in the entity's organizational documents. The entity shall provide to the  
19 department of revenue and to the department of commerce the names and tax  
20 identification numbers of the claimants, the amounts of the credits allocated to the  
21 claimants, and the computation of the allocations.”.

22           **8.** Page 12, line 16: after that line insert:

23           “**SECTION 28d.** 71.28 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act  
24 28, is amended to read:

1           71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under  
2 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January  
3 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
4 any credits reallocated under s. 560.205 (3) (d).

5           **SECTION 28g.** 71.28 (5b) (b) 1. of the statutes is amended to read:

6           71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject  
7 to the limitations provided under this subsection and s. 560.205, and except as  
8 provided in subd. 2., a claimant may claim as a credit against the tax imposed under  
9 s. 71.23, up to the amount of those taxes, 25 percent of the claimant's investment paid  
10 to a fund manager that the fund manager invests in a business certified under s.  
11 560.205 (1), except that, for taxable years beginning after December 31, 2009, and  
12 before January 1, 2014, a claimant may claim 40 percent of the claimant's investment  
13 paid to a fund manager that the fund manager invests in a business certified under  
14 s. 560.205 (1), if the fund manager has invested no more than \$500,000 in the  
15 business and the business has received no more than \$2,000,000 in investments that  
16 have qualified for credits under this subsection or s. 71.07 (5b) or 71.47 (5b).

17           **SECTION 28h.** 71.28 (5b) (b) 2. of the statutes is amended to read:

18           71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or  
19 tax-option corporation, the computation of the 25 or 40 percent limitation under  
20 subd. 1. shall be determined at the entity level rather than the claimant level and  
21 may be allocated among the claimants who make investments in the manner set  
22 forth in the entity's organizational documents. The entity shall provide to the  
23 department of revenue and to the department of commerce the names and tax  
24 identification numbers of the claimants, the amounts of the credits allocated to the  
25 claimants, and the computation of the allocations.”.

1           **9.** Page 15, line 21: after that line insert:

2           “**SECTION 32d.** 71.47 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act  
3 28, is amended to read:

4           71.47 **(3q)** (c) 3. The maximum amount of credits that may be awarded under  
5 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January  
6 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
7 any credits reallocated under s. 560.205 (3) (d).

8           **SECTION 32g.** 71.47 (5b) (b) 1. of the statutes is amended to read:

9           71.47 **(5b)** (b) 1. For taxable years beginning after December 31, 2004, subject  
10 to the limitations provided under this subsection and s. 560.205, and except as  
11 provided in subd. 2., a claimant may claim as a credit against the tax imposed under  
12 s. 71.43, up to the amount of those taxes, 25 percent of the claimant’s investment paid  
13 to a fund manager that the fund manager invests in a business certified under s.  
14 560.205 (1), except that, for taxable years beginning after December 31, 2009, and  
15 before January 1, 2014, a claimant may claim 40 percent of the claimant’s investment  
16 paid to a fund manager that the fund manager invests in a business certified under  
17 s. 560.205 (1), if the fund manager has invested no more than \$500,000 in the  
18 business and the business has received no more than \$2,000,000 in investments that  
19 have qualified for credits under this subsection or s. 71.07 (5b) or 71.28 (5b).

20           **SECTION 32h.** 71.47 (5b) (b) 2. of the statutes is amended to read:

21           71.47 **(5b)** (b) 2. In the case of a partnership, limited liability company, or  
22 tax–option corporation, the computation of the 25 or 40 percent limitation under  
23 subd. 1. shall be determined at the entity level rather than the claimant level and  
24 may be allocated among the claimants who make investments in the manner set

1 forth in the entity’s organizational documents. The entity shall provide to the  
2 department of revenue and to the department of commerce the names and tax  
3 identification numbers of the claimants, the amounts of the credits allocated to the  
4 claimants, and the computation of the allocations.”.

5 **10.** Page 19, line 4: before that line insert:

6 “**SECTION 35g.** 560.03 (9) of the statutes is amended to read:

7 560.03 (9) Establish and operate a small business ombudsman clearinghouse  
8 for business and industry to facilitate the flow of information from other state and  
9 federal agencies, to assist state agencies in establishing methods to encourage the  
10 participation of small businesses in rule making under s. 227.114 (4) and to serve as  
11 ombudsman for small business stationary sources, as defined in s. 285.79 (1), in  
12 connection with the implementation of the federal clean air act, 42 USC 7401 to  
13 7671q. The department shall assign one full-time employee of the small business  
14 ombudsman clearinghouse to provide assistance to businesses as specified under s.  
15 560.42 (1m).

16 **SECTION 35r.** 560.03 (19) of the statutes, as affected by 2009 Wisconsin Act 28,  
17 is amended to read:

18 560.03 (19) Establish ~~a regulatory ombudsman center~~ an office of regulatory  
19 assistance in the department to provide services as set forth in subch. III.”.

20 **11.** Page 20, line 19: delete the material beginning with “or” and ending with  
21 “(c)” on line 20.

22 **12.** Page 23, line 7: after that line insert:

23 “**SECTION 43b.** 560.30 (1) of the statutes, as created by 2009 Wisconsin Act 28,  
24 is repealed.

1           **SECTION 43c.** 560.301 (intro.) of the statutes, as created by 2009 Wisconsin Act  
2 28, is amended to read:

3           **560.301 Rules, policies, and standards for awarding grants and**  
4 **making loans.** (intro.) The department, ~~in consultation with the board,~~ shall  
5 promulgate rules that establish procedures, policies, and standards for  
6 implementing this subchapter and awarding grants and making loans under this  
7 subchapter. The rules shall include all of the following:

8           **SECTION 43cm.** 560.304 of the statutes, as created by 2009 Wisconsin Act 28,  
9 is amended to read:

10           **560.304 Forward innovation fund.** The department may award a grant or  
11 make a loan to an eligible recipient from the appropriations under s. 20.143 (1) (fi),  
12 (gm), and (io). ~~The department shall consult with the board prior to awarding a grant~~  
13 ~~or making a loan under this section.~~

14           **SECTION 43e.** 560.305 (1) (intro.) of the statutes, as created by 2009 Wisconsin  
15 Act 28, is amended to read:

16           560.305 (1) (intro.) The department, ~~in cooperation with the board,~~ shall  
17 encourage small businesses to apply for grants and loans under this subchapter by  
18 ensuring that there are no undue impediments to their participation and by actively  
19 encouraging small businesses to apply for grants and loans. The department shall  
20 do all of the following:

21           **SECTION 43em.** 560.305 (3) of the statutes, as created by 2009 Wisconsin Act  
22 28, is amended to read:

23           560.305 (3) The ~~board~~ department shall develop a policy relating to obtaining  
24 reimbursement of grants and loans provided under this subchapter. The policy may  
25 provide that reimbursement shall be obtained through full repayment of the

1 principal amount of the grant or loan plus interest, through receipt of a share of  
2 future profits from or an interest in a product or process, or through any other  
3 appropriate means.

4 **SECTION 43es.** 560.305 (4) of the statutes, as created by 2009 Wisconsin Act 28,  
5 is amended to read:

6 560.305 (4) The board department shall require, as a condition of a grant or  
7 loan, that a recipient contribute to a project an amount that is not less than 25  
8 percent of the amount of the grant or loan.

9 **SECTION 43g.** Subchapter III (title) of chapter 560 [precedes 560.41] of the  
10 statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

11 **CHAPTER 560**

12 **SUBCHAPTER III**

13 **OFFICE OF REGULATORY OMBUDSMAN**

14 **CENTER ASSISTANCE**

15 **SECTION 43gm.** 560.41 (1) of the statutes is renumbered 560.41 (1n).

16 **SECTION 43gs.** 560.41 (1c) of the statutes is created to read:

17 560.41 (1c) “Agency” has the meaning given in s. 16.70 (1e).

18 **SECTION 43i.** 560.41 (1g) of the statutes is created to read:

19 560.41 (1g) “Authority” has the meaning given in s. 16.70 (2).

20 **SECTION 43im.** 560.41 (1m) of the statutes, as affected by 2009 Wisconsin Act  
21 28, is renumbered 560.41 (1w) and amended to read:

22 560.41 (1w) “Center Office” means the ~~regulatory ombudsman~~ center office of  
23 regulatory assistance in the department.

24 **SECTION 4is.** 560.41 (1r) of the statutes is created to read:

25 560.41 (1r) “Municipality” has the meaning given in s. 16.70 (8).



1           **SECTION 43k.** 560.41 (2) of the statutes is amended to read:

2           560.41 **(2)** “Permit” means any approval of ~~a regulatory~~ an agency required as  
3 a condition of operating a business in this state.

4           **SECTION 43km.** 560.41 (3) of the statutes is repealed.

5           **SECTION 43ks.** 560.42 (1) of the statutes is repealed.

6           **SECTION 43m.** 560.42 (1m) of the statutes is created to read:

7           560.42 **(1m)** ASSISTANCE TO BUSINESSES. The office shall do all of the following:

8           (a) Provide assistance with obtaining and maintaining permits and any  
9 licenses and approvals necessary for a business to operate in this state. To fulfill the  
10 requirements of this paragraph, the office shall do all of the following on behalf of  
11 businesses:

12           1. Explain requirements for obtaining permits.

13           2. Track the progress of applications for permits.

14           3. Help businesses comply with laws and rules applicable to businesses,  
15 including providing plain-language explanations of laws and rules.

16           (b) Serve as a liaison between businesses and agencies, authorities,  
17 municipalities, and local economic development organizations.

18           **SECTION 43mm.** 560.42 (2) (a) and (b), (2m) (intro.), (2r), (3) and (4) of the  
19 statutes are amended to read:

20           560.42 **(2)** (a) The ~~center~~ office shall assist any person requesting information  
21 on which permits are required for a particular business activity or on the application  
22 process, including criteria applied in making a determination on a permit  
23 application and the time period within which a determination will be made. This  
24 assistance may include any of the following:

1           1. Arranging a meeting between the person and the staff of the appropriate  
2 regulatory agency to enable the person to obtain information from the agency.

3           2. Obtaining information and permit applications from the regulatory agency  
4 and providing the information and appropriate permit applications to the person.

5           (b) If a person receives assistance under this subsection and applies for a permit  
6 and if the person requests, the center office shall monitor the status of the permit  
7 application and periodically report the status to the person.

8           **(2m) ADVOCACY.** (intro.) The center office shall provide advocacy services  
9 before regulatory agencies on behalf of permit applicants. These services shall  
10 include all of the following:

11           **(2r) MEDIATION AND DISPUTE RESOLUTION SERVICES.** The center office may provide  
12 mediation or other dispute resolution services to facilitate the resolution of a dispute  
13 between a regulatory an agency and a person applying for a permit. The provision  
14 of mediation or other dispute resolution services under this subsection does not affect  
15 any right that the person may have to a contested hearing under ch. 227.

16           **(3) ASSISTANCE BY CENTER OFFICE.** (a) The center office may charge for services  
17 provided under this subchapter. Any amount charged for services may not exceed  
18 the actual cost of the service provided, unless a specific charge for the service, or  
19 method of calculating the charge, is provided by law. All amounts received under this  
20 paragraph shall be deposited in the appropriation account under s. 20.143 (1) (gc).

21           (b) The center office may refer to the appropriate regulatory agency, without  
22 giving further assistance, any person seeking information or assistance on a permit  
23 under chs. 186, 215, 217, 220 to 224, 440 to 480 and 600 to 646.

24           (c) Advice, assistance, mediation or other dispute resolution services or  
25 information rendered by the center office under this subchapter does not relieve any

1 person from the obligation to secure a required permit or satisfy a regulatory  
2 requirement.

3 (d) The ~~center~~ office shall not be liable for any consequences resulting from the  
4 failure of ~~a regulatory~~ an agency to issue, or the failure of a person to seek, a permit.

5 **(4) PROMOTION OF ASSISTANCE.** (a) The ~~center~~ office shall maintain and publicize  
6 the availability of a toll-free telephone line available to in-state and out-of-state  
7 callers to the ~~center~~ office.

8 (b) The ~~center~~ office shall seek to explain, promote and publicize its services to  
9 the public and shall provide information on its services for inclusion in any public  
10 informational material on permits provided by ~~regulatory~~ agencies.

11 (c) The ~~center~~ office shall, in its efforts under pars. (a) and (b), clearly represent  
12 that its services are advisory, informational and facilitative only.

13 **SECTION 43ms.** 560.42 (5) of the statutes is created to read:

14 560.42 **(5)** STAFFING AND REPORT. The office shall be staffed by at least 2  
15 full-time employees of the department. The office shall annually submit to the chief  
16 clerk of each house of the legislature for distribution to the appropriate standing  
17 committees under s. 13.172 (3) a report on the work of the office.

18 **SECTION 43o.** 560.43 (title), (1) (intro.), (a), (b), (c) and (g) and (2) of the statutes  
19 are amended to read:

20 **560.43** (title) **Responsibilities of regulatory agencies.** **(1)** INTERAGENCY  
21 COOPERATION. (intro.) Each ~~regulatory~~ agency shall:

22 (a) Designate a staff person to coordinate ~~regulatory~~ agency cooperation with  
23 ~~center~~ office staff, provide information to ~~center~~ office staff on the permit process and  
24 direct ~~center~~ office staff to appropriate staff within the ~~regulatory~~ agency.

1 (b) Cooperate with center office staff and respond promptly to requests for  
2 assistance in expediting and requests for information on the permit process under  
3 s. 560.42.

4 (c) Include material provided by the center office under s. 560.42 (4) in any  
5 public informational material on permits that it provides.

6 (g) Provide to the center office written notification of a change to a permit, along  
7 with a copy of the new or revised permit, before the effective date of the change.

8 **(2) PREAPPLICATION MEETINGS.** Each regulatory agency shall provide an  
9 opportunity for a preapplication meeting with its staff to any person interested in  
10 applying for a permit upon request by the person or the center office, and shall  
11 comply with the following requirements:

12 (a) The regulatory agency shall conduct preapplication meetings in an informal  
13 manner.

14 (b) In any preapplication meeting, the regulatory agency shall identify all  
15 permits required by the regulating agency for a business activity, describe the steps  
16 and identify the time period for each step in the permit process and identify potential  
17 problems in the process.

18 (d) The regulatory agency shall invite participation by center office staff in  
19 preapplication meetings when appropriate.

20 (e) The regulatory agency shall publicize the availability of preapplication  
21 meetings to persons contacting them about permits.

22 **SECTION 43om.** 560.44 (1) (intro.) of the statutes is amended to read:

23 560.44 **(1) OMBUDSMAN.** (intro.) The center office shall act as an ombudsman  
24 for brownfields redevelopment projects. As ombudsman, the center office shall do all  
25 of the following:

1           **SECTION 43os.** 560.44 (2) of the statutes is amended to read:

2           560.44 **(2)** ADMINISTRATION OF BROWNFIELDS PROGRAMS. The ~~center~~ office shall  
3 assist in administering the grant program under s. 560.13 and in administering  
4 grants and loans under s. 560.138 that are made for brownfields remediation  
5 projects.

6           **SECTION 43q.** 560.60 (1s) of the statutes, as affected by 2009 Wisconsin Act 28,  
7 is repealed.

8           **SECTION 43qm.** 560.602 (intro.) of the statutes is amended to read:

9           **560.602 Policies and standards for awarding grants and loans.** (intro.)  
10 The department, ~~with the approval of the board,~~ shall promulgate rules to establish  
11 policies and standards for awarding grants and loans under this subchapter. The  
12 rules shall include all of the following:

13           **SECTION 43qs.** 560.605 (1) (intro.) of the statutes is amended to read:

14           560.605 **(1)** (intro.) Upon receipt of an application by an eligible recipient, the  
15 ~~board~~ department may consider any of the following in determining whether to  
16 award a grant or loan under s. 560.61:

17           **SECTION 43r.** 560.605 (2m) (intro.) of the statutes is amended to read:

18           560.605 **(2m)** (intro.) When considering whether a project will be located in a  
19 targeted area, the ~~board~~ department may consider any of the following:

20           **SECTION 43rm.** 560.605 (2m) (h) of the statutes is amended to read:

21           560.605 **(2m)** (h) Any other factor the ~~board~~ department considers to be an  
22 appropriate indicator of a targeted area.

23           **SECTION 43rs.** 560.605 (7) (intro.) of the statutes is amended to read:

24           560.605 **(7)** (intro.) The ~~board~~ department shall award not less than 35 percent  
25 of the total amount of grants and loans made under this subchapter to businesses in

1 distressed areas. In this paragraph, “distressed area” means an area to which any  
2 of the following apply:

3 **SECTION 43t.** 560.605 (7) (f) of the statutes is amended to read:

4 560.605 (7) (f) As determined by the ~~board~~ department, the area is affected by  
5 another factor that indicates the area is a distressed area.

6 **SECTION 43tm.** 560.61 of the statutes is amended to read:

7 **560.61 Wisconsin development fund.** ~~At the request of the board, the~~ The  
8 department may make a grant or loan to an eligible recipient from the appropriations  
9 under s. 20.143 (1) (c) and (ie).

10 **SECTION 43ts.** 560.68 (2) of the statutes is amended to read:

11 560.68 (2) The department, ~~in cooperation with the board,~~ shall actively  
12 encourage small businesses to apply for grants and loans under this subchapter by  
13 ensuring that there are no undue impediments to their participation and by assisting  
14 small businesses in preparing grant and loan applications.

15 **SECTION 43u.** 560.68 (4) of the statutes is amended to read:

16 560.68 (4) The ~~board~~ department shall develop a policy relating to obtaining  
17 reimbursement of grants and loans provided under this subchapter. The policy may  
18 provide that reimbursement shall be obtained through full repayment of the  
19 principal amount of the grant or loan plus interest, through receipt of a share of  
20 future profits from or an interest in a product or process, or through any other  
21 appropriate means.

22 **SECTION 43um.** 560.68 (5) (intro.) of the statutes is amended to read:

23 560.68 (5) (intro.) The department, ~~with the approval of the board,~~ shall  
24 develop procedures related to grants and loans under s. 560.61 for all of the following:

25 **SECTION 43v.** 560.68 (5m) of the statutes is amended to read:

1           **560.68 (5m)** The department, ~~with the approval of the board,~~ shall establish  
2 and implement procedures for monitoring the use of grants and loans awarded under  
3 this subchapter, including procedures for verification of economic growth, job  
4 creation and the number and percentage of newly created jobs for which state  
5 residents are hired.

6           **SECTION 43vm.** 560.68 (6) of the statutes is amended to read:

7           **560.68 (6)** The ~~board~~ department shall require, as a condition of a grant or loan,  
8 that a recipient contribute to a project an amount that is not less than 25% of the  
9 amount of the grant or loan.

10          **SECTION 43vs.** 560.68 (7) (intro.) of the statutes is amended to read:

11          **560.68 (7) (intro.)** The department, ~~in cooperation with the board,~~ shall  
12 encourage small businesses to apply for grants and loans under this subchapter by  
13 ensuring that there are no undue impediments to their participation and by actively  
14 encouraging small businesses to apply for grants and loans. The department shall  
15 do all of the following:

16          **SECTION 43w.** 560.685 of the statutes is repealed.”.

17          **13.** Page 23, line 16: delete the material beginning with that line and ending  
18 with page 24, line 7, and substitute:

19          “(1) RURAL OUTSOURCING GRANTS.

20          (a) From the appropriations under section 20.143 (1) (cp), (ie), (ig), (im), and (ir)  
21 of the statutes, as affected by this act, the department of commerce may award grants  
22 during the 2009–11 fiscal biennium to businesses for outsourcing work to rural  
23 municipalities, as defined under section 560.17 (1) (d) of the statutes. The  
24 department may award a grant from the appropriation under section 20.143 (1) (cp)

1 of the statutes, as created by this act, only to the extent the unencumbered balances  
2 of the appropriations under section 20.143 (1) (ie), (ig), (im), and (ir) of the statutes,  
3 as affected by this act, are insufficient to award the grant. The department shall  
4 require grantees to obtain funding from sources other than the state in an amount  
5 at least equal to the amount of the grant. In determining whether a grantee has  
6 obtained sufficient funding from sources other than the state, the department shall  
7 credit the grantee's capital expenditures, family supporting wages, rent or other  
8 facility costs, electricity costs, equipment leases, and software expenditures. The  
9 total amount of grants awarded under this subsection may not exceed \$500,000.

10 (b) Not more than 45 days after the effective date of this paragraph, the  
11 department of commerce shall promulgate, as emergency rules under section 227.24  
12 of the statutes, rules necessary to administer this subsection. Notwithstanding  
13 section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide  
14 evidence that promulgating a rule under this subsection as an emergency rule is  
15 necessary for the preservation of public peace, health, safety, or welfare and is not  
16 required to provide a finding of emergency for a rule promulgated under this  
17 subsection.

18 (c) Notwithstanding paragraph (a) if, by the first day of the 12th month  
19 beginning after the effective date of the rules promulgated under paragraph (b), the  
20 department of commerce has not received applications for grants under this  
21 subsection totaling \$500,000, the department may spend an amount equal to the  
22 difference between the unencumbered balance of the appropriation account under  
23 section 20.143 (1) (cp) of the statutes, as created by this act, and the total amount of  
24 grants under this subsection for which it has received applications or \$250,000,  
25 whichever is less, from the appropriation under section 20.143 (1) (cp) of the statutes,



1 as created by this act, for any purpose specified under section 20.143 (1) (c) of the  
2 statutes, as affected by this act.”.

3 **14.** Page 25, line 17: after that line insert:

4 “(5m) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes does  
5 not apply to the action of the legislature in enacting this act.

6 (6) RECONCILIATION; LOANS TO MANUFACTURING BUSINESSES. If 2009 Wisconsin Act  
7 ... (Assembly Bill 904) is not enacted and if 2009 Wisconsin Act ... (Senate Bill 651)  
8 is not enacted, SECTIONS 46 (1) (d) and 48 (3) of this act are void.”.

9 **15.** Page 26, line 2: delete lines 2 to 5 and substitute “increased by \$500,000  
10 for the second fiscal year of the fiscal biennium in which this paragraph takes effect  
11 to increase funding for the purposes for which the appropriation is made.”.

12 **16.** Page 26, line 10: after that line insert:

13 “(c) In the schedule under section 20.005 (3) of the statutes for the  
14 appropriation to the department of commerce under section 20.143 (1) (c) of the  
15 statutes, as affected by the acts of 2009, the dollar amount is increased by \$2,000,000  
16 for the second fiscal year of the fiscal biennium in which this paragraph takes effect  
17 to provide funding for grants under SECTION 45 (3) of this act.

18 (d) In the schedule under section 20.005 (3) of the statutes for the appropriation  
19 to the department of commerce under section 20.143 (1) (c) of the statutes, as affected  
20 by the acts of 2010, the dollar amount is increased by an amount equal to the  
21 difference between \$2,000,000 and the total amount of grants awarded under  
22 SECTION 45 (3) of this act as of June 30, 2011, to provide funding for loans to  
23 manufacturing businesses for implementing energy efficiency measures in their  
24 facilities, for retooling to manufacture products that support the green economy, for

1 expanding or establishing domestic clean energy manufacturing, or for creating jobs  
2 or retaining workers engaged in the preceding activities.”.

3 **17.** Page 26, line 18: delete the material beginning with that line and ending  
4 with page 27, line 2.

5 **18.** Page 27, line 9: delete “REGULATORY OMBUDSMAN CENTER” and substitute  
6 “OFFICE OF REGULATORY ASSISTANCE”.

7 **19.** Page 27, line 13: after “positions” insert “in the department by 1.0 GPR  
8 position”.

9 **20.** Page 27, line 13: after “for the” insert “purpose of performing the  
10 responsibilities assigned to the office of”.

11 **21.** Page 27, line 14: delete “ombudsman center by 1.0 GPR position” and  
12 substitute “assistance under this act”.

13 **22.** Page 27, line 14: after that line insert:

14 “(6) SMALL BUSINESS OMBUDSMAN AND OFFICE OF REGULATORY ASSISTANCE FUNDING.  
15 In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
16 department of commerce under section 20.143 (1) (a) of the statutes, as affected by  
17 the acts of 2009, the dollar amount is increased by \$75,000 for the second fiscal year  
18 of the fiscal biennium in which this subsection takes effect to provide supplemental  
19 funding so that a previously–authorized 1.0 FTE GPR small business ombudsman  
20 position is funded for a full year for the purpose of performing the responsibilities  
21 assigned to the office of regulatory assistance under this act.”.

22 **23.** Page 28, line 2: after that line insert:

