

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB641)**

Received: **04/09/2010**

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Michael Sheridan (608) 266-7503**

By/Representing: **Lisa Lundquist**

May Contact:

Drafter: **tkuczens**

Subject: **Econ. Development - misc.**

Addl. Drafters: **jkreye  
csundber**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Sheridan@legis.wisconsin.gov**

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

CORE amendments compiled.

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**Instructions:**

See attached, a2072, a2038, a1283, a2046, and a2044

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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>
/P1	chanaman 04/09/2010 tkuczens 04/09/2010 csundber 04/09/2010	chanaman 04/09/2010 csicilia 04/12/2010		_____			
/1			jfrantze 04/12/2010	_____	mbarman 04/12/2010	mbarman 04/12/2010	

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

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See attached, a2072, a2038, a1283, a2046, and a2044

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/P1	chanaman 04/09/2010 tkuczens	chanaman 04/09/2010	<i>js</i> 4/12	<i>js</i> 4/12	<i>pk</i> 4/12		
			<i>1 js</i> 4/12 10				

FE Sent For:

<END>

**Kuczenski, Tracy**

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**From:** Lundquist, Lisa  
**Sent:** Friday, April 09, 2010 12:16 PM  
**To:** Sundberg, Christopher; Kuczenski, Tracy; Kreye, Joseph  
**Cc:** Matthias, Mary; Farnsworth, Kathy; Knickelbine, Mark  
**Subject:** Amendment(s) to AB641 & SB409 (CORE)

Hello all,

Thank you again for all of your help with this bill. I have gotten one more request from the authors (Lassa & Molepske). They would like all of the individual amendments rolled into one amendment each for the senate bill and assembly bill.

**The amendment for SB409 should comprise of:**

a1752/1 Notwithstanding Clause (Joe)

a1618/1 Economic Policy Board fix (Tracy)

a1580/1 allocated unused angel & early seed to jobs tax credit (Joe)

a1776/2 office of regulatory assistance (Tracy)

amendment to allow \$2.5M in WDF to be used for either Manufacturing Facility Grants program or Green to Gold loan program. (Chris)

**The amendment for AB641 should comprise of:**

(I believe these would have to be amended to the ASA1 (LRB s0238/1) to AB641)

a2044/1 Notwithstanding Clause (Joe) ✓

a1283/2 senate simple amendment to SB409 (Joe & Chris) ✓

a2038/1 Economic Policy Board fix (Tracy) ✓

a2072/1 allocated unused angel & early seed to jobs tax credit (Joe) ✓

✓ a2045/2 & a2046/1 office of regulatory assistance (Tracy)

*↳ del. lines 6-13 of 1283/2*  
amendment to allow \$2.5M in WDF to be used for either Manufacturing Facility Grants program or Green to Gold loan program. (Chris)

I hope that is helpful. Any questions, please let me know. The exec session has been rescheduled for Tuesday morning at 9am and we would like to have the amendments posted by 9am Monday morning at the latest so if there is anyway we could get these repackaged by the end of the day today that would be fantastic but before 9am on Monday works too.

Thank you!!

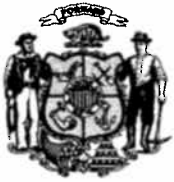
Lisa  
266-3387

## Sorted Item List

<u>Store File Name</u>	<u>Text</u>
a1283.1	Page 1, line 12: after “credits;” insert “modifying the early stage seed and jobs tax credits;”.
a2038.1	Page 2, line 9: before that line insert:
a2038.2	Page 2, line 9: delete “@X@Z7@Lam>Section@Z7@Lam> 1>” and substitute “@X@Z7@Lam>Section@Z7@Lam> 1r>”.
a1283.2	Page 2, line 11: after that line insert:
a1283.3	Page 3, line 10: after that line insert:
a2046.1	Page 3, line 20: before that line insert:
a1283.4	Page 9, line 4: after that line insert:
a1283.5	Page 12, line 16: after that line insert:
a1283.6	Page 15, line 21: after that line insert:
a2046.2	Page 19, line 4: before that line insert:
a2072.1	Page 20, line 19: delete the material beginning with “@U@Z7@Lam>or>” and ending with “@U@Z7@Lam>(c)>” on line 20.
a2038.3	Page 23, line 7: after that line insert:
a2046.3	Page 23, line 8: before that line insert:
a1283.7	Page 23, line 16: delete the material beginning with that line and ending with page 24, line 7, and substitute:
a2044.1	Page 25, line 17: after that line insert:
a1283.8	Page 26, line 18: delete the material beginning with that line and ending with page 27, line 2.
a2046.4	Page 27, line 9: delete “@X@Z7@Lam>Regulatory ombudsman center>” and substitute “@X@Z7@Lam>Office of regulatory assistance>”.
a2046.5	Page 27, line 13: after “positions” insert “in the department by 1.0 GPR position”.
a2046.6	Page 27, line 13: after “for the” insert “purpose of performing the responsibilities assigned to the office of”.
a1283.9	Page 27, line 14: after that line insert:
a2046.8	Page 27, line 14: after that line insert:
a2046.7	Page 27, line 14: delete “ombudsman center by 1.0 GPR position” and substitute “assistance under this act”.

a1283.10

Page 28, line 2: after that line insert:



1  
.....RS  
CTS/JK/TKK  
y's

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~  
ASSEMBLY AMENDMENT,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2009 ASSEMBLY BILL 641

fulfill  
SAV

- 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 is amended to read:

14            20.143 (1) (gc) (title) ~~Regulatory ombudsman center~~ Office of regulatory  
15            assistance.”.

as affected by 2009  
Wisconsin Act 28

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

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

19            71.07 (3q) (c) 3. The maximum amount of credits that may be awarded under  
20            this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January  
21            1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
22            any credits reallocated under s. 560.205 (3) (d).

23            **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.

STET:  
leave as typed

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

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

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

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 430<sup>es</sup>. 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.

Insert 8-9

9 SECTION 430<sup>es</sup>. 560.60 (1s) of the statutes, as affected by 2009 Wisconsin Act 28,  
10 is repealed.

11 SECTION 430<sup>es</sup>. 560.602 (intro.) of the statutes is amended to read:

12 **560.602 Policies and standards for awarding grants and loans.** (intro.)

13 The department, ~~with the approval of the board,~~ shall promulgate rules to establish  
14 policies and standards for awarding grants and loans under this subchapter. The  
15 rules shall include all of the following:

16 SECTION 430<sup>es</sup>. 560.605 (1) (intro.) of the statutes is amended to read:

17 560.605 (1) (intro.) Upon receipt of an application by an eligible recipient, the  
18 ~~board~~ department may consider any of the following in determining whether to  
19 award a grant or loan under s. 560.61:

20 SECTION 430<sup>es</sup>. 560.605 (2m) (intro.) of the statutes is amended to read:

21 560.605 (2m) (intro.) When considering whether a project will be located in a  
22 targeted area, the ~~board~~ department may consider any of the following:

23 SECTION 430<sup>es</sup>. 560.605 (2m) (h) of the statutes is amended to read:

24 560.605 (2m) (h) Any other factor the ~~board~~ department considers to be an  
25 appropriate indicator of a targeted area.

① SECTION 430<sup>rs</sup>. 560.605 (7) (intro.) of the statutes is amended to read:  
2 560.605 (7) (intro.) The ~~board~~ department shall award not less than 35 percent  
3 of the total amount of grants and loans made under this subchapter to businesses in  
4 distressed areas. In this paragraph, "distressed area" means an area to which any  
5 of the following apply:

⑥ SECTION 430<sup>ts</sup>. 560.605 (7) (f) of the statutes is amended to read:  
7 560.605 (7) (f) As determined by the ~~board~~ department, the area is affected by  
8 another factor that indicates the area is a distressed area.

⑨ SECTION 430<sup>tm</sup>. 560.61 of the statutes is amended to read:  
10 **560.61 Wisconsin development fund.** ~~At the request of the board, the~~ The  
11 department may make a grant or loan to an eligible recipient from the appropriations  
12 under s. 20.143 (1) (c) and (ie).

⑬ SECTION 430<sup>ts</sup>. 560.68 (2) of the statutes is amended to read:  
14 560.68 (2) The department, ~~in cooperation with the board,~~ shall actively  
15 encourage small businesses to apply for grants and loans under this subchapter by  
16 ensuring that there are no undue impediments to their participation and by assisting  
17 small businesses in preparing grant and loan applications.

SECTION 430<sup>u</sup>. 560.68 (4) of the statutes is amended to read:  
19 560.68 (4) The ~~board~~ department shall develop a policy relating to obtaining  
20 reimbursement of grants and loans provided under this subchapter. The policy may  
21 provide that reimbursement shall be obtained through full repayment of the  
22 principal amount of the grant or loan plus interest, through receipt of a share of  
23 future profits from or an interest in a product or process, or through any other  
24 appropriate means.

⑮ SECTION 430<sup>um</sup>. 560.68 (5) (intro.) of the statutes is amended to read:

1 560.68 (5) (intro.) The department, ~~with the approval of the board~~, shall  
2 develop procedures related to grants and loans under s. 560.61 for all of the following:

3 ~~SECTION 436.~~ <sup>v</sup> 560.68 (5m) of the statutes is amended to read:

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

9 ~~SECTION 436.~~ <sup>VM</sup> 560.68 (6) of the statutes is amended to read:

10 560.68 (6) The ~~board~~ department shall require, as a condition of a grant or loan,  
11 that a recipient contribute to a project an amount that is not less than 25% of the  
12 amount of the grant or loan.

13 ~~SECTION 436.~~ <sup>VS</sup> 560.68 (7) (intro.) of the statutes is amended to read:

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

19 ~~SECTION 436.~~ <sup>W</sup> 560.685 of the statutes is repealed.”

20 **13.** Page 23, line 8: before that line insert:

21 ~~SECTION 436.~~ <sup>g</sup> Subchapter III (title) of chapter 560 [precedes 560.41] of the  
22 statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

**CHAPTER 560**

**SUBCHAPTER III**

Begin  
Insert  
8-9  
↓



OFFICE OF REGULATORY OMBUDSMAN

CENTER ASSISTANCE

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Insert 8-9

- 3 ✓ SECTION 430<sup>gm</sup>. 560.41 (1) of the statutes is renumbered 560.41 (1n).
- 4 ✓ SECTION 430<sup>gs</sup>. 560.41 (1c) of the statutes is created to read:  
560.41 (1c) "Agency" has the meaning given in s. 16.70 (1e).
- 6 ✓ SECTION 430<sup>i</sup>. 560.41 (1g) of the statutes is created to read:  
560.41 (1g) "Authority" has the meaning given in s. 16.70 (2).
- 8 ✓ SECTION 430<sup>im</sup>. 560.41 (1m) of the statutes, as affected by 2009 Wisconsin Act 28,  
is renumbered 560.41 (1w) and amended to read:  
560.41 (1w) "Center Office" means the ~~regulatory ombudsman center office of~~  
regulatory assistance in the department.
- 12 ✓ SECTION 430<sup>is</sup>. 560.41 (1r) of the statutes is created to read:  
560.41 (1r) "Municipality" has the meaning given in s. 16.70 (8).
- 14 ✓ SECTION 430<sup>k</sup>. 560.41 (2) of the statutes is amended to read:  
560.41 (2) "Permit" means any approval of ~~a regulatory~~ an agency required as  
a condition of operating a business in this state.
- 17 ✓ SECTION 430<sup>km</sup>. 560.41 (3) of the statutes is repealed.
- 18 ✓ SECTION 430<sup>ks</sup>. 560.42 (1) of the statutes is repealed.
- 19 ✓ SECTION 430<sup>m</sup>. 560.42 (1m) of the statutes is created to read:  
560.42 (1m) ASSISTANCE TO BUSINESSES. The office shall do all of the following:  
(a) Provide assistance with obtaining and maintaining permits and any  
licenses and approvals necessary for a business to operate in this state. To fulfill the  
requirements of this paragraph, the office shall do all of the following on behalf of  
businesses:  
1. Explain requirements for obtaining permits.

1 2. Track the progress of applications for permits.

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

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

6 **SECTION 436.** <sup>mm</sup> 560.42 (2) (a) and (b), (2m) (intro.), (2r), (3) and (4) of the statutes  
7 are amended to read:

8 560.42 (2) (a) The center office shall assist any person requesting information  
9 on which permits are required for a particular business activity or on the application  
10 process, including criteria applied in making a determination on a permit  
11 application and the time period within which a determination will be made. This  
12 assistance may include any of the following:

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

15 2. Obtaining information and permit applications from the ~~regulatory~~ agency  
16 and providing the information and appropriate permit applications to the person.

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

20 (2m) ADVOCACY. (intro.) The center office shall provide advocacy services  
21 before ~~regulatory~~ agencies on behalf of permit applicants. These services shall  
22 include all of the following:

23 (2r) MEDIATION AND DISPUTE RESOLUTION SERVICES. The center office may provide  
24 mediation or other dispute resolution services to facilitate the resolution of a dispute  
25 between a ~~regulatory~~ an agency and a person applying for a permit. The provision

Insert 8-9

1 of mediation or other dispute resolution services under this subsection does not affect  
2 any right that the person may have to a contested hearing under ch. 227.

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

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

11 (c) Advice, assistance, mediation or other dispute resolution services or  
12 information rendered by the ~~center office~~ center office under this subchapter does not relieve any  
13 person from the obligation to secure a required permit or satisfy a regulatory  
14 requirement.

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

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

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

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

Insert 8-9

25

✓ SECTION 436<sup>MS</sup> 560.42 (5) of the statutes is created to read:

1 560.42 (5) STAFFING AND REPORT. The office shall be staffed by at least 2  
2 full-time employees of the department. The office shall annually submit to the chief  
3 clerk of each house of the legislature for distribution to the appropriate standing  
4 committees under s. 13.172 (3) a report on the work of the office.

5 ✓ SECTION 430 <sup>0</sup> 560.43 (title), (1) (intro.), (a), (b), (c), (g) and (2) of the statutes are  
6 amended to read:

7 **560.43 (title) Responsibilities of regulatory agencies. (1) INTERAGENCY**  
8 COOPERATION. (intro.) Each regulatory agency shall:

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

12 (b) Cooperate with ~~center office~~ staff and respond promptly to requests for  
13 assistance in expediting and requests for information on the permit process under  
14 s. 560.42.

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

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

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

23 (a) The regulatory agency shall conduct preapplication meetings in an informal  
24 manner.

Insert 8-9

← this is the letter "0" not the number zero

and

Invert 8-9

1 (b) In any preapplication meeting, the ~~regulatory~~ agency shall identify all  
2 permits required by the ~~regulating~~ agency for a business activity, describe the steps  
3 and identify the time period for each step in the permit process and identify potential  
4 problems in the process.

5 (d) The ~~regulatory~~ agency shall invite participation by ~~center~~ office staff in  
6 preapplication meetings when appropriate.

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

9 ✓ SECTION 430. 560.44 (1) (intro.) of the statutes is amended to read:

10 560.44 (1) OMBUDSMAN. (intro.) The ~~center~~ office shall act as an ombudsman  
11 for brownfields redevelopment projects. As ombudsman, the ~~center~~ office shall do all  
12 of the following:

13 ✓ SECTION 430. 560.44 (2) of the statutes is amended to read:

14 560.44 (2) ADMINISTRATION OF BROWNFIELDS PROGRAMS. The ~~center~~ office shall  
15 assist in administering the grant program under s. 560.13 and in administering  
16 grants and loans under s. 560.138 that are made for brownfields remediation  
17 projects.

End  
Invert  
8-9

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

20 “(1) RURAL OUTSOURCING GRANTS.

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

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

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

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

INS  
7-6

1 whichever is less, from the appropriation under section 20.143 (1) (cp) of the statutes,  
2 as created by this act, for any purpose specified under section 20.143 (1) (c) of the  
3 statutes, as affected by this act.”

4 **15.** Page 25, line 17: after that line insert:

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

7 **16.** Page 26, line 18: delete the material beginning with that line and ending  
8 with page 27, line 2.

9 **17.** Page 27, line 9: delete “REGULATORY OMBUDSMAN CENTER” and substitute  
10 “OFFICE OF REGULATORY ASSISTANCE”.

11 **18.** Page 27, line 13: after “positions” insert “in the department by 1.0 GPR  
12 position”.

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

15 **20.** Page 27, line 14: delete “ombudsman center by 1.0 GPR position” and  
16 substitute “assistance under this act”.

17 **21.** Page 27, line 14: after that line insert:

18 “(6) SMALL BUSINESS OMBUDSMAN FUNDING. In the schedule under section 20.005  
19 (3) of the statutes for the appropriation to the department of commerce under section  
20 20.143 (1) (a) of the statutes, as affected by the acts of 2009, the dollar amount is  
21 increased by \$75,000 for the second fiscal year of the fiscal biennium in which this  
22 subsection takes effect to provide supplemental funding so that a

le

1 previously-authorized 1.0 FTE GPR small business ombudsman position is funded  
2 for a full year.”

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

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

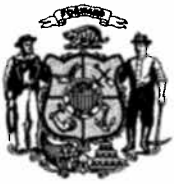
12 **23.** Page 28, line 2: after that line insert:

13 “(2m) RURAL OUTSOURCING GRANTS. The repeal of section 20.143 (1) (cp) of the  
14 statutes takes effect on June 30, 2011.”

15 (END)

INS  
18-14





ASSEMBLY AMENDMENT,  
TO 2009 SENATE BILL 409

INS  
17-6

1 At the locations indicated, amend the bill, as shown by senate substitute  
2 amendment 1, as follows:

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

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

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

10 **3.** Page 26, line 10: after that line insert:

11 “(c) In the schedule under section 20.005 (3) of the statutes for the  
12 appropriation to the department of commerce under section 20.143 (1) (c) of the  
13 statutes, as affected by the acts of 2009, the dollar amount is increased by \$2,000,000

Insert 17-6  
continues ...

1 for the second fiscal year of the fiscal biennium in which this paragraph takes effect  
2 to provide funding for grants under SECTION 45 (3) of this act.

3 (d) In the schedule under section 20.005 (3) of the statutes for the appropriation  
4 to the department of commerce under section 20.143 (1) (c) of the statutes, as affected  
5 by the acts of 2010, the dollar amount is increased by an amount equal to the  
6 difference between \$2,000,000 and the total amount of grants awarded under  
7 SECTION 45 (3) of this act as of June 30, 2011, to provide funding for loans to  
8 manufacturing businesses for implementing energy efficiency measures in their  
9 facilities, for retooling to manufacture products that support the green economy, for  
10 expanding or establishing domestic clean energy manufacturing, or for creating or  
11 retaining workers engaged in the preceding activities.”

END INS 17-6

12 4. Page 28, line 3: before that line insert:

13 “(3) LOANS TO MANUFACTURING BUSINESSES. SECTION 46 (1) (d) of this act takes  
14 effect on the 2nd day after publication of 2011-13 biennial budget act.”

15 (END)

jobs ✓

INS  
12-14