

2009 DRAFTING REQUEST**Assembly Amendment (AA-SB409)**Received: **03/08/2010**Received By: **tkuczens**Wanted: **As time permits**

Companion to LRB:

For: **Donna Seidel (608) 266-0654**By/Representing: **Chris McKinny**

May Contact:

Drafter: **tkuczens**Subject: **Econ. Development - bus. dev.**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Seidel@legis.wisconsin.gov**Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

Topic:

Require Commerce to create an office of regulatory assistance

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>
/?							
/P1	tkuczens 03/18/2010	nmatzke 03/19/2010	rschluet 03/22/2010	_____	lparisi 03/22/2010		
	tkuczens 03/26/2010	nmatzke 03/26/2010		_____			
/1	tkuczens 04/06/2010	nmatzke 04/06/2010	rschluet 03/26/2010	_____	sbasford 03/26/2010	sbasford 03/26/2010	
/2			phenry 04/07/2010	_____	cduerst 04/07/2010	cduerst 04/07/2010	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

2009 DRAFTING REQUEST

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/?							
/P1	tkuczens 03/18/2010	nmatzke 03/19/2010	rschlue 03/22/2010	_____	lparisi 03/22/2010		
	tkuczens 03/26/2010	nmatzke 03/26/2010		_____			
/1		1/2 nwn 4/6	rschlue 03/26/2010	_____	sbasford 03/26/2010	sbasford 03/26/2010	

FE Sent For:

Assembly
Senate Amendment (SA-SB409) *A* **2009 DRAFTING REQUEST**

Received: 03/08/2010

Received By: tkuczens

Wanted: As time permits

Companion to LRB:

For: Donna Seidel (608) 266-0654

By/Representing: Chris McKinny

May Contact:

Drafter: tkuczens

Subject: Econ. Development - bus. dev.

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Seidel@legis.wisconsin.gov

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

Pre Topic:

No specific pre topic given

Topic:

Require Commerce to create an office of regulatory assistance

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>
/?							
/P1	tkuczens 03/18/2010	nmatzke 03/19/2010	rschluet 03/22/2010	_____	lparisi 03/22/2010		

FE Sent For:

<END>

*1 nwn
3/26*
32615

2009 DRAFTING REQUEST

Senate Amendment (SA-SB409)

Received: 03/08/2010

Received By: tkuczens

Wanted: As time permits

Identical to LRB:

For: Donna Seidel (608) 266-0654

By/Representing: Chris McKinny

This file may be shown to any legislator: NO

Drafter: tkuczens

May Contact:

Addl. Drafters:

Subject: Econ. Development - bus. dev.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Seidel@legis.wisconsin.gov

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

Pre Topic:

No specific pre topic given

Topic:

Require Commerce to create an office of regulatory assistance

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>
1/?	tkuczens	/PI nwn 3/19					

31910

FE Sent For:

<END>

Kuczenski, Tracy

From: McKinny, Chris
Sent: Wednesday, March 03, 2010 1:03 PM
To: Kuczenski, Tracy
Cc: Lundquist, Lisa
Subject: RE: Office of Regulatory Assistance

No problem Tracy, I really wish that we could do something to make this a bit easier on you.

We would like everything drafted as a single amendment to SB 409. Lisa pointed out to me earlier today that SA 1 to SSA 1 to SB 409 did in fact fund the small business ombudsmen position that Commerce currently has but has left vacant. I just wanted to make sure that I passed that information along to you as well. Thanks again, please let me know if you need any additional information

→ Item 9 of LRB 1268/4 (section 46(6) - existing position in small business ombudsman clearinghouse (i. 560.03(9))
w/in SSA1, Section 46(5) creates a new position in the Regulatory Ombudsman Center (Subch. III of ch. 560 (ss 560.41-560.45))

From: Kuczenski, Tracy
Sent: Wednesday, March 03, 2010 12:49 PM
To: McKinny, Chris
Cc: Lundquist, Lisa
Subject: RE: Office of Regulatory Assistance

Thanks, Chris, both for the written instructions and the budget item. Very helpful.

At this point, may I just confirm that you'd like all of the matters for which is instruction is provided, below, in one amendment to SB 409?

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-9867
Tracy.Kuczenski@legis.wisconsin.gov

From: McKinny, Chris
Sent: Tuesday, March 02, 2010 7:19 PM
To: Kuczenski, Tracy
Cc: Lundquist, Lisa
Subject: Office of Regulatory Assistance

Tracy,

Here is the budget provision that was vetoed:

ITEM C-6. INNOVATION AND RESEARCH GRANTS

As passed by the Legislature, Assembly Bill 75 would have provided \$75,000 GPR annually with 1.0 GPR position to establish a regulatory ombudsman office and to administer small business innovation research grants. *The Governor's partial veto writes down the economic and community development general operations appropriation to delete annual funding of \$75,000 GPR for the position. In his veto message, the Governor requests that the Secretary of Administration not allot the funding and not authorize the additional 1.0 GPR position.*

[Act 28 Vetoed Section: 176 (as it relates to s. 20.143(1)(a))]

This provision was re-inserted into the Senate CORE proposal (SB 409):

In addition, the bill increases funding for Commerce by \$75,000 in fiscal 2010-11 in order to fund a position for Commerce's Regulatory Ombudsman Center.

It is my understanding that the Department of Commerce also has a vacant position right now for a small business regulatory review ombudsman. We would like to combine the position authorized by CORE (this should be drafted as an amendment to CORE) with the vacant position already at Commerce and instruct Commerce to create an office of regulatory assistance that is responsible to the Secretary. The purpose of this office would be to provide assistance to businesses in the state or looking to relocate to the state in navigating the state regulatory and permitting process. We would like to give Commerce the authority to figure out how to structure itself, but want to set aside these two positions (along with whatever else Commerce deems appropriate) towards that purpose.

We would like to keep the functions of the one stop shop broad, but they should include the following provisions (this is based primarily on Indiana law):

- Assist in the process of obtaining the permits and approvals necessary for business operation
- Act as a liaison between companies, communities, local economic development organizations and regulatory agencies
- Assist with agency contacts and communication facilitation, license and permit requirements and applications, permit tracking and regulatory compliance
- Act as a liaison between businesses and various state agencies such as the DNR, DOT, Revenue, DWD and Commerce
- Provide a plain language rule compliance assistance program

This office should report annually to the Legislature's Senate and Assembly Jobs Committees.

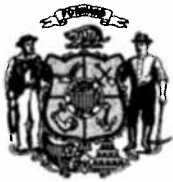
I scanned the Barca bill (AB 767) that is on the Assembly calendar for Thursday and I do not believe that there is any overlap in responsibilities, but it is certainly possible that I missed something. It is my hope that we can structure this in a way that the two proposals can work in tandem with one another. I realize that these instructions aren't very helpful, but honestly this can be as broad as possible. We want to give Commerce as much authority as possible to reorganize itself, we just want to establish general parameters.

By way of background, late last year the Assembly Dems created "Wisconsin's Partnership for a Stronger Economy." We have been meeting throughout the state for the past few months and there has been a consistent outcry from the business community that Wisconsin's permitting requirements are too complicated to navigate. Above all else, business leaders have said that they simply do not have the time to figure all of this stuff out on their own and they need assistance. This bill is meant to address that need.

The main problem that we had with the budget provision and the CORE position is that this is simply too much work for one person. We felt that this was an important job that requires additional resources. Please let me know if you need any additional information. I think that we just need to get the ball rolling on this-I will likely be getting back to you to beef it up and clarify.

Thanks again Tracy-my apologies for the convoluted request.

Chris McKinny
Office of Rep. Donna Seidel
Assistant Majority Leader
608-266-0654 (office)
1-888-534-0085 (toll free)



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO 2009 SENATE BILL 409

in 3/18/2010
wanted 3/22/2010 am

SA✓
bh✓

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

3 1. Page 19, line 3: after that line insert:

4 "SECTION 35g. 560.015 of the statutes is created to read:

5 **560.015 Office of regulatory assistance.** (1) In this section:

- 6 (a) "Agency" has the meaning given in s. 16.70 (1e).
- 7 (b) "Authority" has the meaning given in s. 16.70 (2).
- 8 (c) "Municipality" has the meaning given in s. 16.70 (8).

****NOTE: Are you comfortable with the definitions provided for these terms?

9 (2) The department shall establish and operate an office of regulatory
10 assistance to work with businesses and do all of the following:

****NOTE: It was not clear to me whether the use of the title "office of regulatory assistance" in the drafting instructions was intended to distinguish the administrative structure of this new "office" from a division, bureau, section and unit, as those terms are

used in s. 15.02 (3) of the statutes, or if "office" was chosen for purely aesthetic reasons and you actually intended to create an administrative subunit consistent with one of the subunits outlined in s. 15.02 (3). Please clarify.

For example;

****NOTE: Did you intend to create a formal division of regulatory assistance in the Department of Commerce with a director appointed by the Secretary of Commerce? If so, do you want to create an unclassified position under s. 230.08 (2) (e) 3.? If so, would this position be in addition to the two positions "appropriated" in this amendment from SB 409?

To elaborate on *the last above* ~~my last~~ question, one of the positions, "appropriated" in this amendment from SB 409 is the position created in Section 46 of SSA 1 to SB 409 and assigned to the Regulatory Ombudsman Center (subch. III of ch. 560). The other position "appropriated" in this amendment from SB 409 is the position previously authorized and funded through Item 9 of SA 1 to SSA 1 to SB 409 and assigned to the small business ombudsman (s. 560.03 (9), stats.).

(a) Provide assistance with obtaining and maintaining licenses, permits, and approvals necessary for a business to operate in this state. *Assistance under this*

do paragraph shall include all of the following on behalf of businesses:

The office of regulatory assistance

1. Explain requirements for obtaining licenses and permits from agencies.

2. Track the progress of applications for licenses and permits.

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

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

****NOTE: Do you want to specify the meaning of a "local economic development organization"?

(3) The office of regulatory assistance shall be staffed by at least two² full-time employees of the department. The office shall annually submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) a report on the work of the office.

****NOTE: Do you want to specify what information should be included in the report?

SECTION 35r. 560.03 (9) of the statutes is amended to read:

1 560.03 (9) Establish and operate a small business ombudsman clearinghouse
 2 for business and industry to facilitate the flow of information from other state and
 3 federal agencies, to assist state agencies in establishing methods to encourage the
 4 participation of small businesses in rule making under s. 227.114 (4) and to serve as
 5 ombudsman for small business stationary sources, as defined in s. 285.79 (1), in
 6 connection with the implementation of the federal clean air act, 42 USC 7401 to
 7 7671q. The department shall assign one full-time employee of the small business
 8 ombudsman clearinghouse to provide assistance to businesses as specified under s.
 9 560.015.✓

History: 1971 c. 211 s. 126; 1971 c. 321 ss. 10, 16; Stats. 1971 s. 560.03; 1979 c. 34; 1979 c. 361 ss. 45, 87 to 96; 1979 c. 362; 1983 a. 27, 83, 86, 90, 91, 192; 1985 a. 182 s. 57; 1985 a. 299; 1987 a. 27, 186; 1987 a. 399 s. 433; 1989 a. 317; 1991 a. 39, 302; 1993 a. 399; 1995 a. 27, 227; 1997 a. 27; 1999 a. 150 s. 672; 2001 a. 104; 2003 a. 255; 2007 a. 125; 2009 a. 28.

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

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

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

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

18 **6.** Page 27, line 14:✓ after that line, on page 7, line 7,✓ of the material inserted
 19 by senate amendment 1,✓ after “OMBUDSMAN”✓ insert “AND OFFICE OF REGULATORY
 20 ASSISTANCE”✓

3/22/2010 T. message from Chris M. (Rep. Seidel) re LRB 21776/P1

1. No change to # of positions appointed by the Secretary of Commerce
2. No new division / Bureau
3. IF there is a definition for "local econ. output. org." in statute, use it. TKC: No definition in statute.
4. Re: reporting: any boilerplate? TKC: as drafted, report must be "on the work of the office." No "boilerplate" in statute.





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT,

TO 2009 SENATE BILL 409

all caps
Assembly

pls change
request that

in 3/26/2010

Today

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

3 1. Page 19, line 3: after that line insert:

4 "SECTION 35g. 560.015 of the statutes is created to read:

5 **560.015 Office of regulatory assistance.** (1) In this section:

6 (a) "Agency" has the meaning given in s. 16.70 (1e).

7 (b) "Authority" has the meaning given in s. 16.70 (2).

8 (c) "Municipality" has the meaning given in s. 16.70 (8).

****NOTE: Are you comfortable with the definitions provided for these terms?

9 (2) The department shall establish and operate an office of regulatory
10 assistance to work with businesses and do all of the following:

****NOTE: It was not clear to me whether the use of the title "office of regulatory assistance" in the drafting instructions was intended to distinguish the administrative structure of this new "office" from a division, bureau, section and unit, as those terms are

used in s. 15.02 (3) of the statutes, or if "office" was chosen for purely aesthetic reasons and you actually intended to create an administrative subunit consistent with one of the subunits outlined in s. 15.02 (3). Please clarify.

For example, did you intend to create a formal division of regulatory assistance in the Department of Commerce with a director appointed by the secretary of Commerce? If so, do you want to create an unclassified position under s. 230.08 (2) (e) 3.? If so, would this position be in addition to the two positions "appropriated" in this amendment from SB 409?

To elaborate on the last question above, one of the positions "appropriated" in this amendment from SB 409 is the position created in Section 46 of SSA 1 to SB 409 and assigned to the Regulatory Ombudsman Center (subch. III of ch. 560). The other position "appropriated" in this amendment from SB 409 is the position previously authorized and funded through Item 9. of SA 1 to SSA 1 to SB 409 and assigned to the small business ombudsman (s. 560.03 (9), stats.).

1 (a) Provide assistance with obtaining and maintaining licenses, permits, and
2 approvals necessary for a business to operate in this state. The office of regulatory
3 assistance shall do all of the following on behalf of businesses:

4 1. Explain requirements for obtaining licenses and permits from agencies.

5 2. Track the progress of applications for licenses and permits.

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

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

10 *****NOTE:** Do you want to specify the meaning of a "local economic development
11 organization"?

12 (3) The office of regulatory assistance shall be staffed by at least 2 full-time
13 employees of the department. The office shall annually submit to the chief clerk of
14 each house of the legislature for distribution to the appropriate standing committees
under s. 13.172 (3) a report on the work of the office.

*****NOTE:** Do you want to specify what information should be included in the
report?

SECTION 35r. 560.03 (9) of the statutes is amended to read:

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

April 6, 2010

LRB a 1776/1

T. conf w/Chris McEnaney
(Rep. Seidel)

→ eliminate new s. 560.015 and rename Regulatory
Ombudsman Center (in subch. III of ch. 560) the
Office of Regulatory Assistance.

→ delete "duplicative" material in subch. III of ch. 560
and substitute new responsibilities under the
amendment.

Kuczenski, Tracy

From: McKinny, Chris
Sent: Tuesday, April 06, 2010 4:02 PM
To: Kuczenski, Tracy
Cc: Lundquist, Lisa
Subject: Re: verification of matching amendments

Hey Tracy

I just double-checked 560.42(1) and your suggestion sounds great. Thank you!

On Apr 6, 2010, at 3:47 PM, "Kuczenski, Tracy" <Tracy.Kuczenski@legis.wisconsin.gov> wrote:

Thanks. Just so you are both aware, this will be a longer amendment; I am replacing all occurrences of "Regulatory Ombudsman Center" with "Office of Regulatory Assistance". I will do my best to get the draft to you by tomorrow at 8:30, but don't know what other drafts the editors are being rushed to do...

Chris, can you please verify that it is appropriate for me to repeal s. 560.42 (1) and replace this subsection with the material on p. 1 lines 9-13 and p. 2 lines 1-6 of LRBa1776?

Thanks,
Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-9867
Tracy.Kuczenski@legis.wisconsin.gov

From: Lundquist, Lisa
Sent: Tuesday, April 06, 2010 3:43 PM
To: Kuczenski, Tracy
Cc: McKinny, Chris
Subject: RE: verification of matching amendments

Hi Tracy,

I'm sending over the stripes for a1776/1- the office of Reg. Assistance draft. Yes, that should be drafted for Rep. Molepske.

Thank you!

Lisa

From: Kuczenski, Tracy
Sent: Tuesday, April 06, 2010 1:41 PM



a1776/2
LRBa2046/?
TKK:.....
NWN RMNR
insert

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0238/1),

TO 2009 ASSEMBLY BILL 641 ✓
le 409
SENATE

in 4/6/2010
wanted 4/7/2010

bill as shown by senate ✓

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 3, line 20: before that line insert:
- 3 "SECTION 4m. 20.143 (1) (gc) ^(title) of the statutes is amended to read:
- 4 20.143 (1) (gc) ^(title) ~~Regulatory ombudsman center~~ *Office of regulatory assistance.* ii
- 5 All moneys received under s. 560.42 (3) (a) for providing materials and services under
- 6 subch. III of ch. 560".
- 7 2. Page 19, line 4: before that line insert:
- 8 SECTION 35r. 560.03 (19) of the statutes is amended to read:

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202(14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1997 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186; 2001 a. 16, 109; 2003 a. 33 ss. 292c to 297m, 593 to 600, 602 to 604; 2003 a. 255, 256; 2005 a. 25 ss. 150m to 156t, 331; 2005 a. 45, 358; 2007 a. 20, 125, 225; 2009 a. 2, 16, 28; s. 13.92 (2) (i).

as affected by 2009 Wisconsin Act 28

Insert 1-8

1 560.03 (19) Establish ~~a regulatory ombudsman center~~ an office of regulatory
2 assistance in the department to provide services as set forth in subch. III.”

History: 1971 c. 211 s. 126; 1971 c. 321 ss. 10, 16; Stats. 1971 s. 560.03; 1979 c. 34; 1979 c. 361 ss. 45, 87 to 96; 1979 c. 362; 1983 a. 27, 83, 86, 90, 91, 192; 1985 a. 182 s. 57; 1985 a. 299; 1987 a. 27, 186; 1987 a. 399 s. 433; 1989 a. 317; 1991 a. 39, 302; 1993 a. 399; 1995 a. 27, 227; 1997 a. 27; 1999 a. 150 s. 672; 2001 a. 104; 2003 a. 255; 2007 a. 125; 2009 a. 28.

3 3. Page 23, line 8: before that line insert:

4 “SECTION 43b. Subchapter III (title) of chapter 560 [precedes 560.41] of the
5 statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

6 CHAPTER 560

7 SUBCHAPTER III

8 OFFICE OF REGULATORY OMBUDSMAN CENTER ASSISTANCE

9 SECTION 43d. 560.41 (1) of the statutes is renumbered 560.41 (1n).

10 SECTION 43e. 560.41 (1c) of the statutes is created to read:

11 560.41 (1c) “Agency” has the meaning given in s. 16.70 (1e).

12 SECTION 43f. 560.41 (1g) of the statutes is created to read:

13 560.41 (1g) “Authority” has the meaning given in s. 16.70 (2).

14 SECTION 43g. 560.41 (1r) of the statutes is created to read:

15 560.41 (1r) “Municipality” has the meaning given in s. 16.70 (8).

16 SECTION 43h. 560.41 (1m) of the statutes is renumbered 560.41 (1w) and

17 amended to read:

as affected by 2009 Wisconsin Act 28

18 560.41 (1w) “Center Office” means the ~~regulatory ombudsman center~~ office of
19 regulatory assistance in the department.

History: 1983 a. 91; 1995 a. 27; 1997 a. 27; 2009 a. 28.

20 SECTION 43j. 560.41 (2) of the statutes is amended to read:

21 560.41 (2) “Permit” means any approval of ~~a regulatory~~ an agency required as

22 a condition of operating a business in this state.

1 **SECTION 43L.** 560.41 (3) of the statutes is repealed. ✓

History: 1983 a. 91; 1995 a. 27; 1997 a. 27; 2009 a. 28.

2 **SECTION 43n.** 560.42 (1) of the statutes is repealed. ✓

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

4 **560.42 (1m) ASSISTANCE TO BUSINESSES.** The office shall do all of the following:

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

Inset 3-9 ✓

9 **SECTION 43r.** 560.42 (2) (a) ^{g and} (b), (2m) (intro.), (2r), (3) and (4) of the statutes are
10 amended to read:

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

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

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

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

History: 1983 a. 91; 1985 a. 182 s. 57; 1987 a. 186; 1991 a. 39; 1993 a. 102; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2007 a. 125.

1 **(2m)** ADVOCACY. (intro.) The center office shall provide advocacy services
2 before regulatory agencies on behalf of permit applicants. These services shall
3 include all of the following:

History: 1983 a. 91; 1985 a. 182 s. 57; 1987 a. 186; 1991 a. 39; 1993 a. 102; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2007 a. 125.

4 **(2r)** MEDIATION AND DISPUTE RESOLUTION SERVICES. The center office may provide
5 mediation or other dispute resolution services to facilitate the resolution of a dispute
6 between a [↓]regulatory an agency and a person applying for a permit. The provision
7 of mediation or other dispute resolution services under this subsection does not affect
8 any right that the person may have to a contested hearing under ch. 227[√].

History: 1983 a. 91; 1985 a. 182 s. 57; 1987 a. 186; 1991 a. 39; 1993 a. 102; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2007 a. 125.

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

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

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

21 (d) The center office shall not be liable for any consequences resulting from the
22 failure of a [↓]regulatory an agency to issue, or the failure of a person to seek, a permit.

History: 1983 a. 91; 1985 a. 182 s. 57; 1987 a. 186; 1991 a. 39; 1993 a. 102; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2007 a. 125.

(3) Interagency cooperation. (intro.) Each regulatory agency shall: (5) #

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

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

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

9 History: 1983 a. 91; 1985 a. 182 s. 57; 1987 a. 186; 1991 a. 19; 1993 a. 102; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2007 a. 125.

10 SECTION 43t. 560.43 (1) (title), (a), (b), (c), (g) and (2) of the statutes are
amended to read:

11 **560.43 (1) Responsibilities of regulatory agencies.** (a) Designate a staff
12 person to coordinate regulatory agency cooperation with center office staff, provide
13 information to center office staff on the permit process and direct center office staff
14 to appropriate staff within the regulatory agency.

15 History: 1983 a. 91; 1995 a. 27; 1997 a. 27.

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

18 History: 1983 a. 91; 1995 a. 27; 1997 a. 27.

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

20 History: 1983 a. 91; 1995 a. 27; 1997 a. 27.

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

22 History: 1983 a. 91; 1995 a. 27; 1997 a. 27.

23 (2) PREAPPLICATION MEETINGS. Each regulatory agency shall provide an
opportunity for a preapplication meeting with its staff to any person interested in

Insert 5-9

1 applying for a permit upon request by the person or the ~~center~~ office, and shall
2 comply with the following requirements:

3 (a) The ~~regulatory~~ agency shall conduct preapplication meetings in an informal
4 manner.

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

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

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

History: 1983 a. 91; 1995 a. 27; 1997 a. 27.

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

14 560.44 (1) OMBUDSMAN. (intro.) The ~~center~~ office shall act as an ombudsman
15 for brownfields redevelopment projects. As ombudsman, the ~~center~~ office shall do all
16 of the following:

History: 1997 a. 27; 2001 a. 16.

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

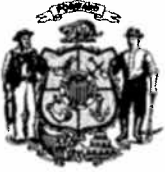
18 560.44 (2) ADMINISTRATION OF BROWNFIELDS PROGRAMS. The ~~center~~ office shall
19 assist in administering the grant program under s. 560.13 and in administering
20 grants and loans under s. 560.138 that are made for brownfields remediation
21 projects.”.

History: 1997 a. 27; 2001 a. 16.

22

(END)

Inset 6-22



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1776/1
TKK:pwn:rs

ASSEMBLY AMENDMENT,
TO 2009 SENATE BILL 409

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

3 **1.** Page 19, line 3: after that line insert:

4 "SECTION 35g. 560.015 of the statutes is created to read:

5 **560.015 Office of regulatory assistance. (1)** In this section:

6 (a) "Agency" has the meaning given in s. 16.70 (1e).

7 (b) "Authority" has the meaning given in s. 16.70 (2).

8 (c) "Municipality" has the meaning given in s. 16.70 (8).

9 **(2)** The department shall establish and operate an office of regulatory
10 assistance to work with businesses and do all of the following:

11 (a) Provide assistance with obtaining and maintaining licenses, permits, and
12 approvals necessary for a business to operate in this state. The office of regulatory
13 assistance shall do all of the following on behalf of businesses:

Begin
Insert
3-9

1. Explain requirements for obtaining licenses and permits from agencies.

2. Track the progress of applications for licenses and permits.

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

End
Insert
3-9

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

Section 43 so 560.42(5) of the statutes is created to read:

Begin
Insert
5-9

(3) The office of regulatory assistance shall be staffed by at least 2 full-time employees of the department. The office shall annually submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees

End
Insert
5-9

and report under s. 13.172 (3) a report on the work of the office.

Begin
Insert
1-8

SECTION 359. 560.03 (9) of the statutes is amended to read:

560.03 (9) Establish and operate a small business ombudsman clearinghouse

for business and industry to facilitate the flow of information from other state and

federal agencies, to assist state agencies in establishing methods to encourage the

participation of small businesses in rule making under s. 227.114 (4) and to serve as

ombudsman for small business stationary sources, as defined in s. 285.79 (1), in

connection with the implementation of the federal clean air act, 42 USC 7401 to

7671q. The department shall assign one full-time employee of the small business

ombudsman clearinghouse to provide assistance to businesses as specified under s.

End
Insert
1-8

560.015." 560.42(1m)

Page 27, line 9: delete "REGULATORY OMBUDSMAN CENTER" and substitute

"OFFICE OF REGULATORY ASSISTANCE".

Begin
Insert
6-22

Page 27, line 13: after "positions" insert "in the department by 1.0 GPR

position".

1 ~~4.~~ Page 27, line 13: after "for the" insert "purpose of performing the
2 responsibilities assigned to the office of". ✓

3 ~~5.~~ Page 27, line 14: delete "ombudsman center by 1.0 GPR position" and
4 substitute "assistance under this act". ✓

5 ~~6.~~ Page 27, line 14: after that line, on page 7, line 7, of the material inserted
6 by senate amendment 1, after "OMBUDSMAN" insert "AND OFFICE OF REGULATORY
7 ASSISTANCE". ✓

8 ~~7.~~ Page 27, line 14: after that line, on page 7, line 13, of the material inserted
9 by senate amendment 1, after "year" insert "for the purpose of performing the
10 responsibilities assigned to the office of regulatory assistance under this act". ✓

11

(END)

End
Insert
6-22

April 9, 2010

Drafter's note: (Tracy Kuczenski) to LRBa1776/2
AA 4 to 2009 SB 409 (as shown by SSA1) is not
(LRBa1776/2)

correct. Items 6 and 7 of LRBa1776/1 (on p. 3 of
LRBa1776/1) were inadvertently left out of /2.

T. conf. w/ Lisa Lundquist of Rep. Meridian's office -
informed Lisa of error; told her that items 6 and
7 have been incorporated into the CORE amendment
compile (LRBa2122/P2), but if Molepke
wants to vote on LRBa1776/2 separately, a
new amendment (new LRB number) will be required
to be compatible with amendment to
assembly Bill 641 (LRBa2045 and LRBa2046)

Tracy Kuczenski