

2009 DRAFTING REQUEST

Assembly Amendment (AA-SB409)

Received: 04/09/2010

Received By: chanaman

Wanted: As time permits

Companion to LRB:

For: Michael Sheridan (608) 266-7503

By/Representing:

May Contact:

Drafter: jkreye

Subject: Econ. Development - misc.

Addl. Drafters: csundber tkuczens

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Compile for CORE

Instructions:

See attached--a1618, a1776, a1580, and a1752

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	csicilia 04/12/2010		_____			
/1			phenry 04/12/2010	_____	sbasford 04/12/2010	sbasford 04/12/2010	

FE Sent For:

<END>

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Assembly Amendment (AA-SB409)

Received: 04/09/2010

Received By: **chanaman**

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

By/Representing:

May Contact:

Drafter: **jkreye**

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

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Instructions:

See attached--a1618, a1776, a1580, and a1752

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/P1	chanaman	1 9/5	4/12 10 /ph	4/12 ph/ES			
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FE Sent For:

<END>

Kreye, Joseph

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)

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

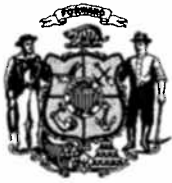
I hope that is helpful. Any questions, please let me know. The exec session has been rescheduled for Tuesday morning at 9am and we would like to have the amendments posted by 9am Monday morning at the latest so if there is anyway we could get these repackaged by the end of the day today that would be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

Thank you!!

Lisa
266-3387

Sorted Item List

<u>Store File Name</u>	<u>Text</u>
a1618.1	Page 2, line 9: before that line insert:
a1618.2	Page 2, line 9: delete “@X@Z7@Lam>Section@Z7@Lam> 1>” and substitute “@X@Z7@Lam>Section@Z7@Lam> 1r>”.
a1776.1	Page 3, line 20: before that line insert:
a1776.2	Page 19, line 4: before that line insert:
a1580.1	Page 20, line 19: delete the material beginning with “@U@Z7@Lam>or>” and ending with “@U@Z7@Lam>(c)>” on line 20.
a1618.3	Page 23, line 7: after that line insert:
a1776.3	Page 23, line 8: before that line insert:
a1776.4	Page 27, line 9: delete “@X@Z7@Lam>Regulatory ombudsman center>” and substitute “@X@Z7@Lam>Office of regulatory assistance>”.
a1776.5	Page 27, line 13: after “positions” insert “in the department by 1.0 GPR position”.
a1776.6	Page 27, line 13: after “for the” insert “purpose of performing the responsibilities assigned to the office of”.
a1752.1	Page 27, line 14: after that line, after the material inserted by senate amendment 1, insert:
a1776.7	Page 27, line 14: delete “ombudsman center by 1.0 GPR position” and substitute “assistance under this act”.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1776/2
TKK:nwn:ph

ASSEMBLY AMENDMENT 4,
TO 2009 SENATE BILL 409

April 7, 2010 – Offered by Representative MOLEPSKE JR..

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

3 **1.** Page 3, line 20: before that line insert:

4 “SECTION 4m. 20.143 (1) (gc) (title) of the statutes is amended to read:

5 20.143 (1) (gc) (title) ~~Regulatory ombudsman center~~ Office of regulatory
6 assistance.”.

7 **2.** Page 19, line 4: before that line insert:

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

9 560.03 (9) Establish and operate a small business ombudsman clearinghouse
10 for business and industry to facilitate the flow of information from other state and
11 federal agencies, to assist state agencies in establishing methods to encourage the
12 participation of small businesses in rule making under s. 227.114 (4) and to serve as
13 ombudsman for small business stationary sources, as defined in s. 285.79 (1), in

1 connection with the implementation of the federal clean air act, 42 USC 7401 to
2 7671q. The department shall assign one full-time employee of the small business
3 ombudsman clearinghouse to provide assistance to businesses as specified under s.
4 560.42 (1m).

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

7 560.03 (19) Establish ~~a regulatory ombudsman center~~ an office of regulatory
8 assistance in the department to provide services as set forth in subch. III.”.

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

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

12 **CHAPTER 560**

13 **SUBCHAPTER III**

14 **OFFICE OF REGULATORY OMBUDSMAN**

15 **CENTER- ASSISTANCE**

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

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

18 560.41 (1c) “Agency” has the meaning given in s. 16.70 (1e).

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

20 560.41 (1g) “Authority” has the meaning given in s. 16.70 (2).

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

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

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

2 560.41 (1r) “Municipality” has the meaning given in s. 16.70 (8).

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

4 560.41 (2) “Permit” means any approval of ~~a regulatory~~ an agency required as
5 a condition of operating a business in this state.

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

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

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

9 560.42 (1m) ASSISTANCE TO BUSINESSES. The office shall do all of the following:

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

14 1. Explain requirements for obtaining permits.

15 2. Track the progress of applications for permits.

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

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

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

22 560.42 (2) (a) The center office shall assist any person requesting information
23 on which permits are required for a particular business activity or on the application
24 process, including criteria applied in making a determination on a permit

1 application and the time period within which a determination will be made. This
2 assistance may include any of the following:

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

5 2. Obtaining information and permit applications from the regulatory agency
6 and providing the information and appropriate permit applications to the person.

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

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

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

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

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

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

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

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

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

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

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

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

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

22 **560.43 (title) Responsibilities of regulatory agencies. (1) INTERAGENCY**
23 **COOPERATION.** (intro.) Each ~~regulatory~~ agency shall:

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

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

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

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

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

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

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

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

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

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



**ASSEMBLY AMENDMENT 3,
TO 2009 SENATE BILL 409**

April 7, 2010 – Offered by Representative MOLEPSKE JR..

- 1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:
- 3 **1.** Page 2, line 9: before that line insert:
4 “**SECTION 1g.** 15.155 (2) (c) of the statutes is created to read:
5 15.155 (2) (c) The board shall do all of the following:
6 1. Consult with the department of commerce on strategic economic policy for
7 the state.
8 2. Suggest legislation to achieve strategic economic policy objectives.”
- 9 **2.** Page 2, line 9: delete “**SECTION 1**” and substitute “**SECTION 1r**”.
- 10 **3.** Page 23, line 7: after that line insert:
11 “**SECTION 43b.** 560.30 (1) of the statutes, as created by 2009 Wisconsin Act 28,
12 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 43e.** 560.304 of the statutes, as created by 2009 Wisconsin Act 28, is
9 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 43g.** 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 43h.** 560.305 (3) of the statutes, as created by 2009 Wisconsin Act 28,
22 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 43i.** 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 43k.** 560.60 (1s) of the statutes, as affected by 2009 Wisconsin Act 28,
10 is repealed.

11 **SECTION 43L.** 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 43n.** 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 43o.** 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 43p.** 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 43q.** 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 43r.** 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 43s.** 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).

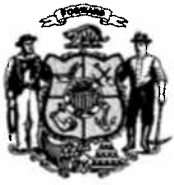
13 **SECTION 43t.** 560.68 (2) of the statutes is amended to read:

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.

18 **SECTION 43u.** 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.

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



TKK/CTS

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT,
TO 2009 SENATE BILL 409**

cjs

Today AM
or by 830 Monday

✓
as shown by senate substitute
amendment 15

for info
SAR

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 9: before that line insert:
- 3 "SECTION 1g. 15.155 (2) (c) of the statutes is created to read:
- 4 15.155 (2) (c) The board shall do all of the following:
- 5 1. Consult with the department of commerce on strategic economic policy for
- 6 the state.
- 7 2. Suggest legislation to achieve strategic economic policy objectives."
- 8 **2.** Page 2, line 9: delete "SECTION 1" and substitute "SECTION 1r".
- 9 **3.** Page 3, line 20: before that line insert:
- 10 "SECTION 4m. 20.143 (1) (gc) (title) of the statutes is amended to read: Act 28
- 11 20.143 (1) (gc) (title) ~~Regulatory ombudsman center~~ Office of regulatory
- 12 assistance."

as affected by
2009 Wisconsin
Act 28

1 **4.** Page 19, line 4: before that line insert:

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

3 560.03 (9) Establish and operate a small business ombudsman clearinghouse
4 for business and industry to facilitate the flow of information from other state and
5 federal agencies, to assist state agencies in establishing methods to encourage the
6 participation of small businesses in rule making under s. 227.114 (4) and to serve as
7 ombudsman for small business stationary sources, as defined in s. 285.79 (1), in
8 connection with the implementation of the federal clean air act, 42 USC 7401 to
9 7671q. The department shall assign one full-time employee of the small business
10 ombudsman clearinghouse to provide assistance to businesses as specified under s.
11 560.42 (1m).

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

14 560.03 (19) Establish ~~a regulatory ombudsman center~~ an office of regulatory
15 assistance in the department to provide services as set forth in subch. III.”

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

18 **6.** Page 23, line 7: after that line insert:

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

21 **SECTION 43b.** 560.301 (intro.) of the statutes, as created by 2009 Wisconsin Act
22 28, is amended to read:

23 **560.301 Rules, policies, and standards for awarding grants and**
24 **making loans.** (intro.) The department, ~~in consultation with the board,~~ shall

1 promulgate rules that establish procedures, policies, and standards for
2 implementing this subchapter and awarding grants and making loans under this
3 subchapter. The rules shall include all of the following:

✓ 4 SECTION 436^{bd} 560.304 of the statutes, as created by 2009 Wisconsin Act 28, is
5 amended to read:

6 **560.304 Forward innovation fund.** The department may award a grant or
7 make a loan to an eligible recipient from the appropriations under s. 20.143 (1) (fi),
8 (gm), and (io). ~~The department shall consult with the board prior to awarding a grant~~
9 ~~or making a loan under this section.~~

✓ 10 SECTION 436^c 560.305 (1) (intro.) of the statutes, as created by 2009 Wisconsin
11 Act 28, is amended to read:

12 560.305 (1) (intro.) The department, ~~in cooperation with the board,~~ shall
13 encourage small businesses to apply for grants and loans under this subchapter by
14 ensuring that there are no undue impediments to their participation and by actively
15 encouraging small businesses to apply for grants and loans. The department shall
16 do all of the following: ^{cb}

✓ 17 SECTION 436^{cb} 560.305 (3) of the statutes, as created by 2009 Wisconsin Act 28,
18 is amended to read:

19 560.305 (3) 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.

1 SECTION 43j. 560.305 (4) of the statutes, as created by 2009 Wisconsin Act 28,
2 is amended to read:

3 560.305 (4) The ~~board~~ department shall require, as a condition of a grant or
4 loan, that a recipient contribute to a project an amount that is not less than 25
5 percent of the amount of the grant or loan.

IN REPT
4-5

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

8 SECTION 43L. 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 43n. 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 43o. 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 43p. 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 43q. 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 43r.** 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 43s.** 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 43t.** 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 43v.** 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 43w.** 560.68 (5m) of the statutes is amended to read:

Amend 4-5

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

2 560.41 (1c) "Agency" has the meaning given in s. 16.70 (1e).

✓ 3 SECTION 43f^{eb}. 560.41 (1g) of the statutes is created to read:

4 560.41 (1g) "Authority" has the meaning given in s. 16.70 (2).

✓ 5 SECTION 43g^{ed}. 560.41 (1m) of the statutes, as affected by 2009 Wisconsin Act 28,
6 is renumbered 560.41 (1w) and amended to read:

7 560.41 (1w) "Center Office" means the ~~regulatory ombudsman center office of~~
8 regulatory assistance in the department.

✓ 9 SECTION 43h^f. 560.41 (1r) of the statutes is created to read:

10 560.41 (1r) "Municipality" has the meaning given in s. 16.70 (8).

✓ 11 SECTION 43i^{fb}. 560.41 (2) of the statutes is amended to read:

12 560.41 (2) "Permit" means any approval of ~~a regulatory~~ an agency required as
13 a condition of operating a business in this state.

✓ 14 SECTION 43j^g. 560.41 (3) of the statutes is repealed.

✓ 15 SECTION 43k^{gb}. 560.42 (1) of the statutes is repealed.

✓ 16 SECTION 43l^h. 560.42 (1m) of the statutes is created to read:

17 560.42 (1m) ASSISTANCE TO BUSINESSES. The office shall do all of the following:

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

- 22 1. Explain requirements for obtaining permits.
- 23 2. Track the progress of applications for permits.
- 24 3. Help businesses comply with laws and rules applicable to businesses,
- 25 including providing plain-language explanations of laws and rules.



Insert
4-5

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

3 **SECTION 436^{nb}** 560.42 (2) (a) and (b), (2m) (intro.), (2r), (3) and (4) of the statutes
4 are amended to read:

5 560.42 (2) (a) The ~~center~~ office shall assist any person requesting information
6 on which permits are required for a particular business activity or on the application
7 process, including criteria applied in making a determination on a permit
8 application and the time period within which a determination will be made. This
9 assistance may include any of the following:

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

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

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

17 (2m) ADVOCACY. (intro.) The ~~center~~ office shall provide advocacy services
18 before ~~regulatory~~ agencies on behalf of permit applicants. These services shall
19 include all of the following:

20 (2r) MEDIATION AND DISPUTE RESOLUTION SERVICES. The ~~center~~ office may provide
21 mediation or other dispute resolution services to facilitate the resolution of a dispute
22 between ~~a regulatory~~ an agency and a person applying for a permit. The provision
23 of mediation or other dispute resolution services under this subsection does not affect
24 any right that the person may have to a contested hearing under ch. 227.



Insert 4-5

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

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

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

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

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

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

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

23 **SECTION 436** ~~560.42~~ ⁱ 560.42 (5) of the statutes is created to read:

24 **560.42 (5) STAFFING AND REPORT.** The office shall be staffed by at least 2
25 full-time employees of the department. The office shall annually submit to the chief

Permit
4-5

1 clerk of each house of the legislature for distribution to the appropriate standing
2 committees under s. 13.172 (3) a report on the work of the office.

3 SECTION 43^{ib} 560.43 (title), (1) (intro.), (a), (b), (c), (g) and (2) of the statutes are
4 amended to read: ^{and}

5 **560.43 (title) Responsibilities of regulatory agencies. (1) INTERAGENCY**
6 **COOPERATION. (intro.) Each regulatory agency shall:**

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

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

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

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

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

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

23 (b) In any preapplication meeting, the ~~regulatory~~ agency shall identify all
24 permits required by the ~~regulating~~ agency for a business activity, describe the steps



Insert 4-5

1 and identify the time period for each step in the permit process and identify potential
2 problems in the process.

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

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

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

8 560.44 (1) OMBUDSMAN. (intro.) The ~~center~~ office shall act as an ombudsman
9 for brownfields redevelopment projects. As ombudsman, the ~~center~~ office shall do all
10 of the following:

11 ~~SECTION 430~~ 560.44 (2) of the statutes is amended to read:

12 560.44 (2) ADMINISTRATION OF BROWNFIELDS PROGRAMS. The ~~center~~ office shall
13 assist in administering the grant program under s. 560.13 and in administering
14 grants and loans under s. 560.138 that are made for brownfields remediation
15 projects. *end of insert 4-5*

*(INSERT)
11-15*

16 **8.** Page 27, line 9: delete "REGULATORY OMBUDSMAN CENTER" and substitute
17 "OFFICE OF REGULATORY ASSISTANCE".

18 **9.** Page 27, line 13: after "positions" insert "in the department by 1.0 GPR
19 position".

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

22 **11.** Page 27, line 14: delete "ombudsman center by 1.0 GPR position" and
23 substitute "assistance under this act".

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)

insert
12-1



**ASSEMBLY AMENDMENT ,
TO 2009 SENATE BILL 409**

INSERT 11-15



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



11-15

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 of 11-15

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)

INSERT
12-4

jobs