

**2011 Jr1 DRAFTING REQUEST**

**Assembly Amendment (AA-AB6)**

Received: **01/25/2011**

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

For: **Mary Williams (608) 266-7506**

By/Representing: **Pam Shannon**

May Contact:

Drafter: **rchampag**

Subject: **State Finance - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

WEDC Changes

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**Instructions:**

See attached.

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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>
/?	rchampag 01/25/2011	wjackson 01/25/2011		_____			
/1			mduchek 01/25/2011	_____	sbasford 01/25/2011	sbasford 01/25/2011	

FE Sent For:

<END>

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See attached.

*same as 306*

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/?	rchampag	/1 WJ 1/25		_____			

FE Sent For:

<END>

## **Champagne, Rick**

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**From:** Shannon, Pam  
**Sent:** Monday, January 24, 2011 6:45 PM  
**To:** Champagne, Rick  
**Subject:** Changes to LRBa272/1--amendment to SS SB 6

Hi Rick,

These are the changes I know for sure Rebecca (Hopper) wants in a /2 of this amendment. She has a 9 AM meeting on this Tuesday morning and will let me know immediately after the meeting of any additional changes. Therefore, please don't finalize this til you've heard from me again. She would like to have this ready by tomorrow afternoon if at all possible.

Please prepare the same amendment for Nathan Berken/Rep. Williams.

1. Page 1, lines 7-8: delete the DOJ language.
2. Page 1, after line 8, add a SECTION amending 13.94 (1) (mm) to add the Wisconsin Economic Development Corporation to the list of entities included in the audit.
3. Page 1, line 11, after "audit, add "required to be performed".
4. Page 4, lines 16-17: change "before February 1" to "by January 1" .
5. Page 4, line 20, after "current", add "calendar".
6. Page 4, line 21, change "December 31" to "October 1": and after "submit to" add "the joint legislative audit committee and".
7. Page 4, line 23, after "report", add "for the previous fiscal year".
8. Page 5: delete the phrase "during the year" in all locations.
9. Wherever you think it fits best (either under board duties or reports to the legislature), require the board to "make readily accessible to the public on an Internet-based system the information required (to be reported to the legislature) under 238.07 (2) (a) to (h)."

[See current. s. 560.01 (2) (am) (intro.) for the Internet requirement as it pertains to Commerce.]

As always, thanks loads for your help. I'll let you know asap of any additional changes.

Pam Shannon  
Senior Staff Attorney  
Wisconsin Legislative Council Staff  
(608) 266-2680  
pam.shannon@legis.wisconsin.gov



State of Wisconsin  
2011 – 2012 LEGISLATURE

January 2011 Special Session



LRBa0276/1  
RAC:nwn:jf

ASSEMBLY AMENDMENT ,  
TO ASSEMBLY BILL 6

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 4, line 6: after that line insert:

3 “SECTION 6e. 13.94 (1) (dr) of the statutes is created to read:

4 13.94 (1) (dr) Biennially, beginning in 2013, conduct a financial audit and a  
5 program evaluation audit of the economic development programs administered by  
6 the Wisconsin Economic Development Corporation under ch. 238. The legislative  
7 audit bureau shall file a copy of each audit report under this paragraph with the  
8 department of justice and with the distributees specified in par. (b).

9 SECTION 6m. 13.94 (1s) (c) 5. of the statutes is created to read:

10 13.94 (1s) (c) 5. The Wisconsin Economic Development Corporation for the cost  
11 of the audit under sub. (1) (dr).

12 SECTION 6r. 13.94 (4) (a) 1. of the statutes is amended to read:

1           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
2           credentialing board, commission, independent agency, council or office in the  
3           executive branch of state government; all bodies created by the legislature in the  
4           legislative or judicial branch of state government; any public body corporate and  
5           politic created by the legislature including specifically the Wisconsin Quality Home  
6           Care Authority, the Fox River Navigational System Authority, the Lower Fox River  
7           Remediation Authority, and the Wisconsin Aerospace Authority, the Wisconsin  
8           Economic Development Corporation, a professional baseball park district, a local  
9           professional football stadium district, a local cultural arts district and a long-term  
10          care district under s. 46.2895; every Wisconsin works agency under subch. III of ch.  
11          49; every provider of medical assistance under subch. IV of ch. 49; technical college  
12          district boards; every county department under s. 51.42 or 51.437; every nonprofit  
13          corporation or cooperative or unincorporated cooperative association to which  
14          moneys are specifically appropriated by state law; and every corporation, institution,  
15          association or other organization which receives more than 50% of its annual budget  
16          from appropriations made by state law, including subgrantee or subcontractor  
17          recipients of such funds.”.

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

19           “**SECTION 15d.** 16.417 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
20          .... (this act), is amended to read:

21           16.417 (1) (a) “Agency” means an office, department, independent agency,  
22          institution of higher education, association, society, or other body in state  
23          government created or authorized to be created by the constitution or any law, that  
24          is entitled to expend moneys appropriated by law, including the legislature and the

1 courts, but not including an authority or the body created under subch. III of ch. 149  
2 ~~or under ch. 238.~~

3 **SECTION 15h.** 16.417 (1) (b) of the statutes is amended to read:

4 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
5 ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279.”.

6 **3.** Page 19, line 12: after “**of board.**” insert “**(1)**”.

7 **4.** Page 19, line 17: after that line insert:

8 “**(2)** For each program developed and implemented by the board, the board  
9 shall do all of the following:

10 (a) Establish clear and measurable goals for the program that are tied to  
11 statutory or programmatic policy objectives.

12 (b) Establish at least one quantifiable benchmark for each program goal  
13 described in par. (a).

14 (c) Require that each recipient of a grant or loan under the program submit a  
15 report to the corporation. Each contract with a recipient of a grant or loan under the  
16 program must specify the frequency and format of the report to be submitted to the  
17 corporation and the performance measures to be included in the report.

18 (d) Establish a method for evaluating the projected results of the program with  
19 actual outcomes as determined by evaluating the information described in pars. (a)  
20 and (b).

21 (e) Annually and independently verify, from a sample of grants and loans, the  
22 accuracy of the information required to be reported under par. (c).

23 **(3)** The board shall require for each program developed and implemented by  
24 the board all of the following:

1           (a) That each recipient of a grant or loan under the program of at least \$100,000  
2 to submit to the corporation a verified statement describing the recipient's  
3 expenditure of the grant or loan funds, signed by both an independent certified public  
4 accountant and the director or principal officer of the recipient to attest to the  
5 accuracy of the verified statement. The board shall also require the recipient of such  
6 a grant or loan to make available for inspection the documents supporting the  
7 verified statement. The board must include the requirement in the contract with  
8 grant or loan recipients.

9           (b) That the board, if a recipient of a grant or loan under the program submits  
10 false or misleading information to the corporation or fails to comply with the terms  
11 of a contract entered into with the corporation, without providing satisfactory  
12 explanation for the noncompliance, do all of the following:

- 13           1. Recoup payments made to the recipient.
- 14           2. Withhold future payments to be made to the recipient.
- 15           3. Impose a financial penalty on the recipient.”.

16           **5.** Page 21, line 1: delete lines 1 to 4 and substitute:

17           **“238.07 Submission of annual reports to legislature. (1)** Annually, before  
18 February 1, the board shall submit to the chief clerk of each house of the legislature,  
19 for distribution to the legislature under s. 13.172 (2), a report identifying the  
20 economic development projects that the board intends to develop and implement  
21 during the current year.

22           **(2)** Annually, no later than December 31, the board shall submit to the chief  
23 clerk of each house of the legislature, for distribution to the legislature under s.

1 13.172 (2), a report on each of the economic development programs of the corporation  
2 that contains all of the following:

- 3 (a) A description of each program.  
4 (b) A comparison of expected and actual program outcomes.  
5 (c) The number of grants made under the program during the year.  
6 (d) The number of loans made under the program during the year.  
7 (e) The amount of each grant and loan made under the program during the year.  
8 (f) The recipient of each grant or loan made under the program during the year.  
9 (g) The sum total of all grants and loans awarded to and received by each  
10 recipient under the program during the year.  
11 (h) Any recommended changes to the program.”.

12 **6.** Page 22, line 9: after that line insert:

13 **“SECTION 9455. Effective dates; Other.**

14 (1m) DUAL EMPLOYMENT. The treatment of section 16.417 (1) (a) (by SECTION  
15 15d) and (b) of the statutes takes effect on January 1, 2012.”.

16 (END)





State of Wisconsin  
 2011 - 2012 LEGISLATURE  
 January 2011 Special Session



LRBa0306/1  
 RACmwn&kjfsif

stays

Today 1/10/11

Assembly  
~~SENATE~~ AMENDMENT,  
 TO ~~SENATE~~ BILL 6  
 Assembly

LRBa 0307/1  
 RAC

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 4, line 6: after that line insert:

3 **"SECTION 6e.** 13.94 (1) (dr) of the statutes is created to read:

4 13.94 (1) (dr) Biennially, beginning in 2013, conduct a financial audit and a

5 program evaluation audit of the economic development programs administered by

6 the Wisconsin Economic Development Corporation under ch. 238. The legislative

7 audit bureau shall file a copy of each audit report under this paragraph and with the

8 distributees specified in par. (b).

9 **SECTION 6h.** 13.94 (1) (mm) of the statutes is amended to read:

10 13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance

11 evaluation audit of the economic development programs administered by the

12 department of commerce, the University of Wisconsin System, the department of

13 agriculture, trade and consumer protection, the department of natural resources, the

1 Wisconsin Housing and Economic Development Authority, the Wisconsin Economic  
2 Development Corporation, the department of tourism, the technical college system,  
3 and the department of transportation. In this paragraph, economic development  
4 program has the meaning given in s. 560.001 (1m). The legislative audit bureau shall  
5 file a copy of the report of the audit under this paragraph with the distributees  
6 specified in par. (b).

7 **SECTION 6m.** 13.94 (1s) (c) 5. of the statutes is created to read:

8 13.94 (1s) (c) 5. The Wisconsin Economic Development Corporation for the cost  
9 of the audit required to be performed under sub. (1) (dr).

10 **SECTION 6r.** 13.94 (4) (a) 1. of the statutes is amended to read:

11 13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
12 credentialing board, commission, independent agency, council or office in the  
13 executive branch of state government; all bodies created by the legislature in the  
14 legislative or judicial branch of state government; any public body corporate and  
15 politic created by the legislature including specifically the Wisconsin Quality Home  
16 Care Authority, the Fox River Navigational System Authority, the Lower Fox River  
17 Remediation Authority, and the Wisconsin Aerospace Authority, the Wisconsin  
18 Economic Development Corporation, a professional baseball park district, a local  
19 professional football stadium district, a local cultural arts district and a long-term  
20 care district under s. 46.2895; every Wisconsin works agency under subch. III of ch.  
21 49; every provider of medical assistance under subch. IV of ch. 49; technical college  
22 district boards; every county department under s. 51.42 or 51.437; every nonprofit  
23 corporation or cooperative or unincorporated cooperative association to which  
24 moneys are specifically appropriated by state law; and every corporation, institution,  
25 association or other organization which receives more than 50% of its annual budget

1 from appropriations made by state law, including subgrantee or subcontractor  
2 recipients of such funds.”.

3 **2.** Page 6, line 23: after that line insert:

4 “**SECTION 15d.** 16.417 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
5 .... (this act), is amended to read:

6 16.417 (1) (a) “Agency” means an office, department, independent agency,  
7 institution of higher education, association, society, or other body in state  
8 government created or authorized to be created by the constitution or any law, that  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, but not including an authority or the body created under subch. III of ch. 149  
11 ~~or under ch. 238.~~

12 **SECTION 15h.** 16.417 (1) (b) of the statutes is amended to read:

13 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
14 ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279.”.

15 **3.** Page 18, line 20: after that line insert:

16 “**(3)** “Economic development program” means a program or activity having the  
17 primary purpose of encouraging the establishment and growth of business in this  
18 state, including the creation and retention of jobs.”.

19 **4.** Page 19, line 12: after “**of board.**” insert “**(1)**”.

20 **5.** Page 19, line 17: after that line insert:

21 “**(2)** For each program developed and implemented by the board, the board  
22 shall do all of the following:

23 (a) Establish clear and measurable goals for the program that are tied to  
24 statutory or programmatic policy objectives.

1 (b) Establish at least one quantifiable benchmark for each program goal  
2 described in par. (a).

3 (c) Require that each recipient of a grant or loan under the program submit a  
4 report to the corporation. Each contract with a recipient of a grant or loan under the  
5 program must specify the frequency and format of the report to be submitted to the  
6 corporation and the performance measures to be included in the report.

7 (d) Establish a method for evaluating the projected results of the program with  
8 actual outcomes as determined by evaluating the information described in pars. (a)  
9 and (b).

10 (e) Annually and independently verify, from a sample of grants and loans, the  
11 accuracy of the information required to be reported under par. (c).

12 **(3)** The board shall require for each program developed and implemented by  
13 the board all of the following:

14 (a) That each recipient of a grant or loan under the program of at least \$100,000  
15 submit to the corporation a verified statement describing the recipient's expenditure  
16 of the grant or loan funds, signed by both an independent certified public accountant  
17 and the director or principal officer of the recipient to attest to the accuracy of the  
18 verified statement. The board shall also require the recipient of such a grant or loan  
19 to make available for inspection the documents supporting the verified statement.  
20 The board must include the requirement in the contract with grant or loan recipients.

21 (b) That the board, if a recipient of a grant or loan under the program submits  
22 false or misleading information to the corporation or fails to comply with the terms  
23 of a contract entered into with the corporation, without providing satisfactory  
24 explanation for the noncompliance, do all of the following:

25 1. Recoup payments made to the recipient.

1           2. Withhold future payments to be made to the recipient.

2           3. Impose a financial penalty on the recipient.”.

3           **6.** Page 21, line 1: delete lines 1 to 4 and substitute:

4           **“238.07 Submission of annual reports to legislature. (1)** Annually, by  
5           January 1, the board shall submit to the chief clerk of each house of the legislature,  
6           for distribution to the legislature under s. 13.172 (2), a report identifying the  
7           economic development projects that the board intends to develop and implement  
8           during the current calendar year.

9           **(2)** Annually, no later than October 1, the board shall submit to the joint  
10          legislative audit committee and the chief clerk of each house of the legislature, for  
11          distribution to the legislature under s. 13.172 (2), a report for the previous fiscal year  
12          on each of the economic development programs of the corporation that contains all  
13          of the following:

14           (a) A description of each program.

15           (b) A comparison of expected and actual program outcomes.

16           (c) The number of grants made under the program.

17           (d) The number of loans made under the program.

18           (e) The amount of each grant and loan made under the program.

19           (f) The recipient of each grant or loan made under the program.

20           (g) The sum total of all grants and loans awarded to and received by each  
21          recipient under the program.

22           (h) Any recommended changes to the program.

23           **(3)** The board shall make readily accessible to the public on an Internet-based  
24          system the information required under sub. (2).”.

