



State of Wisconsin
2011 – 2012 LEGISLATURE

September 2011 Special Session



LRBa1719/1
MPG:jld:jf

**SENATE AMENDMENT 2,
TO SENATE BILL 21**

October 25, 2011 – Offered by Senator LASSA.

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

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

3 “**SECTION 1m.** 13.94 (1) (mm) of the statutes, as affected by 2011 Wisconsin Act
4 32, is amended to read:

5 13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance
6 evaluation audit of the economic development programs administered by the
7 University of Wisconsin System, the department of agriculture, trade and consumer
8 protection, the department of natural resources, the Wisconsin next generation
9 reserve board, the Wisconsin Housing and Economic Development Authority, the
10 Wisconsin Economic Development Corporation, the department of tourism, the
11 technical college system, and the department of transportation. In this paragraph,
12 economic development program has the meaning given in s. 23.167 (1). The

1 legislative audit bureau shall file a copy of the report of the audit under this
2 paragraph with the distributees specified in par. (b).”.

3 **2.** Page 4, line 1: substitute “**SECTION 1s**” for “**SECTION 1**”.

4 **3.** Page 13, line 18: after that line insert:

5 “**555.063 Goals and accountability measures for economic**
6 **development programs. (1)** In this section, “economic development program”
7 means a program or activity having the primary purpose of encouraging the
8 establishment and growth of business in this state, including the creation and
9 retention of jobs, and that satisfies all of the following:

10 (a) The program receives funding from the state or federal government that is
11 allocated through an appropriation under ch. 20.

12 (b) The program provides financial assistance, including grants, loans,
13 business investments, or tax benefits, or direct services to specific industries,
14 businesses, local governments, or organizations.

15 **(2)** The board, in consultation with the Wisconsin Economic Development
16 Corporation, shall do all of the following for each economic development program
17 administered by the board:

18 (a) Establish clear and measurable goals for the program that are tied to
19 statutory policy objectives.

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

22 (c) Require that each recipient of a grant, loan, investment, or tax benefit under
23 the program submit a report to the board. Each contract with a recipient of a grant,
24 loan, investment, or tax benefit under the program shall specify the frequency and

1 format of the report to be submitted to the board and the performance measures to
2 be included in the report.

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

6 (e) Annually and independently verify, from a sample of grants, loans,
7 investments, or tax benefits, the accuracy of the information required to be reported
8 under par. (c).

9 (f) Establish by rule a requirement that the recipient of a grant, loan,
10 investment, or tax benefit under the program of at least \$100,000 submit to the board
11 a verified statement signed by both an independent certified public accountant
12 licensed or certified under ch. 442 and the director or principal officer of the recipient
13 to attest to the accuracy of the verified statement, and make available for inspection
14 the documents supporting the verified statement. The board shall include the
15 requirement established by rule under this paragraph in the contract entered into
16 by a grant or loan recipient.

17 (g) Establish by rule policies and procedures permitting the board to do all of
18 the following if a recipient of a grant, loan, investment, or tax benefit under the
19 program submits false or misleading information to the board or fails to comply with
20 the terms of a contract entered into with the board under the program and fails to
21 provide to the satisfaction of the board an explanation for the noncompliance:

- 22 1. Recoup payments made to the recipient.
- 23 2. Withhold payments to be made to the recipient.
- 24 3. Impose a fine or penalty on the recipient.

