

**2011 Se1 DRAFTING REQUEST**

**Senate Amendment (SA-SB21)**

Received: 10/21/2011

Received By: **mgallagh**

Wanted: **As time permits**

Companion to LRB:

For: **Julie Lassa (608) 266-3123**

By/Representing: **Mark Knickelbine**

May Contact:

Drafter: **mgallagh**

Subject: **State Govt - miscellaneous  
Econ. Development - misc.**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lassa@legis.wisconsin.gov**

Carbon copy (CC:) to: **michael.gallagher@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Add Act 125 requirements

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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>
/?	mgallagh 10/22/2011	jdye 10/24/2011		_____			
/1			jfrantze 10/24/2011	_____	sbasford 10/24/2011	sbasford 10/24/2011	

FE Sent For:

<END>

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/?	mgallagh	1 10/24 jld	J	10/24			

FE Sent For:

<END>

**Gallagher, Michael**

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**From:** Knickelbine, Mark  
**Sent:** Friday, October 21, 2011 2:17 PM  
**To:** Gallagher, Michael  
**Subject:** Amendment to Sept. SSSB 21

Mike –

We need an amendment to this bill that will make the Wisconsin Next Generation Reserve Board subject to the economic development program provisions other state agencies and boards are subject to as a result of 2007 Act 125. Let me know if you have any questions. Thanks!

Mark Knickelbine  
Office of State Senator Julie Lassa  
266 3123



Monday 10/24 Thanks

State of Wisconsin  
2011 - 2012 LEGISLATURE

September 2011 Special Session



LRBa1719

MPG:.....

Handwritten initials and scribbles

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
SENATE AMENDMENT,  
TO SENATE BILL 21

Insert

Insert 1-1 ✓

1  
2

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

1. Page 13, line 18: after that line insert: ✓

3

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

8  
9

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

10  
11  
12

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

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

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

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

8           (c) Require that each recipient of a grant, loan, investment, or tax benefit under  
9 the program submit a report to the board. Each contract with a recipient of a grant,  
10 loan, investment, or tax benefit under the program shall specify the frequency and  
11 format of the report to be submitted to the board and the performance measures to  
12 be included in the report.

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

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

19           (f) Establish by rule a requirement that the recipient of a grant, loan,  
20 investment, or tax benefit under the program of at least \$100,000 submit to the board  
21 a verified statement signed by both an independent certified public accountant  
22 licensed or certified under ch. 442 and the director or principal officer of the recipient  
23 to attest to the accuracy of the verified statement, and make available for inspection  
24 the documents supporting the verified statement. The board shall include the

1 requirement established by rule under this paragraph<sup>✓</sup> in the contract entered into  
2 by a grant or loan recipient.

3 (g) Establish by rule policies and procedures permitting the board to do all of  
4 the following<sup>✓</sup> if a recipient of a grant, loan, investment, or tax benefit<sup>✓</sup> under the  
5 program submits false or misleading information to the board or fails to comply with  
6 the terms of a contract entered into with the board under the program and fails to  
7 provide to the satisfaction of the board an explanation for the<sup>✓</sup> noncompliance:

- 8 1. Recoup payments made to the recipient.<sup>✓</sup>
- 9 2. Withhold payments to be made to the recipient.<sup>✓</sup>
- 10 3. Impose a fine or penalty on the recipient.<sup>✓</sup>

11 **4 555.065 Economic development assistance coordination and reporting.**

12 **(1)** Annually, no later than October 1,<sup>✓</sup> the board shall submit to the joint legislative  
13 audit committee<sup>✓</sup> and to the appropriate standing committees of the legislature under  
14 s. 13.172 (3)<sup>✓</sup> a comprehensive report assessing economic development programs, as  
15 defined in s. 555.063 (1)<sup>✓</sup>, administered by the board. The report shall include all of  
16 the following information:

- 17 (a) A description of each program.<sup>✓</sup>
- 18 (b) A comparison of expected and actual program outcomes.<sup>✓</sup>
- 19 (c) The number of grants made under the program.<sup>✓</sup>
- 20 (d) The number of loans made under the program.<sup>✓</sup>
- 21 (e) The number of investments made under the program.<sup>✓</sup>
- 22 (f) The amount of each grant, loan, or investment made under the program.<sup>✓</sup>
- 23 (g) The recipient of each grant, loan, or investment made under the program.<sup>✓</sup>
- 24 (h) The sum total of all grants, loans, and investments awarded to and received  
25 by each recipient under the program.<sup>✓</sup>

1 (i) Any recommended changes to the program.

2 (2) The board shall collaborate with the<sup>✓</sup> Wisconsin Economic Development  
3 Corporation to make readily accessible to the public on an<sup>✓</sup> Internet-based system the  
4 information required under this<sup>✓</sup> section. ”” .

5 (END)

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

REF: 1/15/ins.  
MFG:.....

1 INSERT 1-1

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

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

4 ~~13.94 (1) (dt) Biennially beginning in 2013, conduct a financial audit of the~~  
5 ~~Wisconsin next generation reserve board and a program evaluation audit of the~~  
6 ~~programs administered by the Wisconsin next generation reserve board under ch.~~  
7 ~~555. The legislative audit bureau shall file a copy of each audit report under this~~  
8 ~~paragraph with the distributees specified in par. (b).~~

9 " SECTION 1m. 13.94 (1) (mm) of the statutes, as affected by 2011 Wisconsin Act  
10 32, is amended to read:

11 13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance  
12 evaluation audit of the economic development programs administered by the  
13 University of Wisconsin System, the department of agriculture, trade and consumer  
14 protection, the department of natural resources, the Wisconsin next generation  
15 reserve board, the Wisconsin Housing and Economic Development Authority, the  
16 Wisconsin Economic Development Corporation, the department of tourism, the  
17 technical college system, and the department of transportation. In this paragraph,  
18 economic development program has the meaning given in s. 23.167 (1). The  
19 legislative audit bureau shall file a copy of the report of the audit under this  
20 paragraph with the distributees specified in par. (b)."

**History:** 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007 a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10, 32.

21 2. Page 4, line 1: substitute "SECTION 1s" for "SECTION 1". ✓

22 (END INSERT 1-1)