



State of Wisconsin  
2011 – 2012 LEGISLATURE



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**SENATE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 40**

June 16, 2011 – Offered by Senators LASSA, HANSEN, MILLER, HOLPERIN, C. LARSON, CARPENTER, WIRCH, S. COGGS, ERPENBACH, JAUCH, RISSER, TAYLOR, VINEHOUT and T. CULLEN.

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

3           **1.** Page 64, line 1: delete lines 1 to 13.

4           **2.** Page 65, line 2: delete “36.585” and substitute “36.11 (49)”.

5           **3.** Page 107, line 4: increase the dollar amount for fiscal year 2011–12 by  
6           \$22,700 and increase the dollar amount for fiscal year 2012–13 by \$22,700 for the  
7           purpose of increasing funding for buy local grants.

8           **4.** Page 135, line 3: increase the dollar amount for fiscal year 2011–12 by  
9           \$820,700 and increase the dollar amount for fiscal year 2012–13 by \$820,700 to  
10          increase the authorized FTE positions by 5.0 GPR positions for faculty at the  
11          University of Wisconsin–Milwaukee School of Freshwater Sciences.



1           20.835 (2) (kc) *Homestead tax credit; temporary assistance for needy families.*  
2           The amounts in the schedule to be used to pay, to the extent permitted under federal  
3           law, the claims approved under subch. VIII of ch. 71. All moneys transferred from  
4           the appropriation account under s. 20.437 (2) (md) shall be credited to this  
5           appropriation account.”.

6           **11.** Page 445, line 19: delete lines 19 to 25, as affected by assembly  
7           amendment 1 to assembly amendment 1.

8           **12.** Page 446, line 1: delete lines 1 and 2.

9           **13.** Page 454, line 22: delete that line and substitute:

10          “**SECTION 994d.** 36.25 (52) (b) of the statutes is amended to read:

11          36.25 (52) (b) From the appropriation under s. 20.285 (1) (~~ed~~) (ce), the board  
12          shall award grants to the foundation for the Wisconsin Small Company  
13          Advancement program to provide intellectual property management services to the  
14          extension and all institutions and college campuses other than the University of  
15          Wisconsin–Madison and the University of Wisconsin–Milwaukee and for the  
16          administrative costs of the program. The amount of each grant shall be \$250,000.  
17          The foundation may use no more than \$75,000 of the amount appropriated under s.  
18          20.285 (1) (~~ed~~) (ce) for the administrative costs of the program. The board may not  
19          award a grant unless the foundation shows to the satisfaction of the board that the  
20          foundation has secured, after January 1, 2010, matching funds for the program from  
21          sources other than the state that are equal to the amount of the grant, except that  
22          the amounts used for administrative costs of the program are exempt from the  
23          matching requirement. In–kind contributions may be applied to meet the matching  
24          requirement.

1           **SECTION 994e.** 36.25 (52) (c) of the statutes is amended to read:

2           36.25 **(52)** (c) The board shall submit progress reports at least annually on the  
3 use of grants under par. (b) to the joint committee on finance and the chief clerk of  
4 each house of the legislature for distribution to the appropriate standing committees  
5 under s. 13.172 (3), ~~at least annually until the program funded by the grants under~~  
6 ~~par. (b) is terminated.~~”.

7           **14.** Page 462, line 22: delete lines 22 to 24, as affected by assembly  
8 amendment 1 to assembly amendment 1.

9           **15.** Page 463, line 1: delete lines 1 to 19, as affected by assembly amendment  
10 1 to assembly amendment 1.

11           **16.** Page 476, line 10: after that line insert:

12           **“SECTION 1103m.** 38.41 (3) (d) of the statutes is amended to read:

13           38.41 **(3)** (d) Beginning in the ~~2008–09~~ 2011–12 school year, the board shall  
14 award at least \$1,000,000 \$2,400,000 annually under sub. (1) for training in  
15 advanced manufacturing skills, ~~and beginning in the 2010–11 school year, the board~~  
16 ~~shall award at least \$2,000,000 annually under sub. (1) for such training.~~ A business  
17 may not receive training under such a grant unless the business pays individuals  
18 trained under the grant, at the time of the training or no later than 6 months after  
19 completion of the training, at least 150 percent of the federal minimum hourly rate  
20 prescribed under 29 USC 206 (a) (1).”.

21           **17.** Page 724, line 19: after “stats” insert “, except that, for taxable years  
22 beginning after December 31, 2011, and before January 1, 2015, a claimant may  
23 claim 40 percent of the claimant’s investment paid to a fund manager that the fund  
24 manager invests in a business certified under s. 238.15 (1), if the fund manager has

1 invested no more than \$500,000 in the business and the business has received no  
2 more than \$2,000,000 in investments that have qualified for credits under this  
3 subsection or s. 71.28 (5b) or 71.47 (5b)”.

4 **18.** Page 724, line 22: after “25” insert “or 40”.

5 **19.** Page 730, line 16: delete lines 16 to 25.

6 **20.** Page 731, line 1: delete lines 1 to 8.

7 **21.** Page 806, line 14: after “stats” insert “, except that, for taxable years  
8 beginning after December 31, 2011, and before January 1, 2015, a claimant may  
9 claim 40 percent of the claimant’s investment paid to a fund manager that the fund  
10 manager invests in a business certified under s. 238.15 (1), if the fund manager has  
11 invested no more than \$500,000 in the business and the business has received no  
12 more than \$2,000,000 in investments that have qualified for credits under this  
13 subsection or s. 71.07 (5b) or 71.47 (5b)”.

14 **22.** Page 806, line 17: after “25” insert “or 40”.

15 **23.** Page 856, line 7: after “stats” insert “, except that, for taxable years  
16 beginning after December 31, 2011, and before January 1, 2015, a claimant may  
17 claim 40 percent of the claimant’s investment paid to a fund manager that the fund  
18 manager invests in a business certified under s. 238.15 (1), if the fund manager has  
19 invested no more than \$500,000 in the business and the business has received no  
20 more than \$2,000,000 in investments that have qualified for credits under this  
21 subsection or s. 71.07 (5b) or 71.28 (5b)”.

22 **24.** Page 856, line 10: after “25” insert “or 40”.

1           **25.** Page 860, line 20: delete the material beginning with that line and ending  
2 with page 862, line 17.

3           **26.** Page 957, line 3: delete lines 3 to 13.

4           **27.** Page 964, line 24: delete the material beginning with that line and ending  
5 with page 966, line 16.

6           **28.** Page 970, line 10: delete lines 10 to 13.

7           **29.** Page 970, line 23: delete the material beginning with that line and ending  
8 with page 971, line 3.

9           **30.** Page 971, line 14: after that line insert:

10           “**SECTION 2403y.** 108.141 (1) (f) 3. b. of the statutes is amended to read:

11           108.141 (1) (f) 3. b. The average rate of total unemployment in this state,  
12 seasonally adjusted, as determined by the U.S. secretary of labor for the period  
13 consisting of the most recent 3 months for which data for all states are published  
14 before the close of that week equals or exceeds 110 percent of the average for either  
15 or both of the corresponding 3-month periods ending in the 2 preceding calendar  
16 year; or

17           **SECTION 2403yb.** 108.141 (1) (f) 4. of the statutes is created to read:

18           108.141 (1) (f) 4. With respect to weeks of unemployment beginning on or after  
19 the date of enactment of P.L. 111–312, and ending with the week ending 4 weeks prior  
20 to the last week in which federal sharing is authorized by section 2005 (a) of P.L.  
21 111–5 and any amendments thereto:

22           a. The rate of insured unemployment for the period consisting of that week and  
23 the immediately preceding 12 weeks equaled or exceeded 120 percent of the average

1 of such rates for the corresponding 13–week periods ending in each of the preceding  
2 3 calendar years, and equaled or exceeded 5 percent; or

3 b. The average rate of total unemployment, seasonally adjusted, as determined  
4 by the U.S. secretary of labor, for the period consisting of the most recent 3 months  
5 for which data for all states are published before the close of that week equals or  
6 exceeds 6.5 percent and equals or exceeds 110 percent of the average for any of the  
7 corresponding 3–month periods ending in the preceding 3 calendar years.”.

8 **31.** Page 1130, line 15: delete the material beginning with “~~the objectives~~” and  
9 ending with “activities” on line 20 and substitute “the objectives under s. ~~560.128~~  
10 238.2995 (1) (a)”.

11 **32.** Page 1131, line 7: delete the material beginning with “~~The commission~~”  
12 and ending with “~~(1) (a).~~” on page line 9 and substitute “The commission shall  
13 cooperate with the ~~department of commerce~~ Wisconsin Economic Development  
14 Corporation to ensure coordination of energy efficiency and renewable resource  
15 programs under sub. (2) (a) 2. e. with the loan program under s. ~~560.128~~ 238.2995  
16 (1) (a).”.

17 **33.** Page 1173, line 3: after that line insert:

18 “**SECTION 2859t.** 238.075 of the statutes is created to read:

19 **238.075 Goals and accountability measures; reporting. (1)** GOALS AND  
20 ACCOUNTABILITY MEASURES. The corporation shall do all of the following for each  
21 economic development program implemented under s. 238.03:

22 (a) Establish clear and measurable goals for the program that are tied to the  
23 duties of the board under s. 238.03.

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

20 (g) Establish by rule policies and procedures permitting the corporation to do  
21 all of the following if a recipient of a grant or loan or tax benefits under the program  
22 submits false or misleading information to the corporation or fails to comply with the  
23 terms of a contract entered into with the corporation under the program and fails to  
24 provide to the satisfaction of the corporation an explanation for the noncompliance:

- 25 1. Recoup payments made to the recipient.



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

2           3. Impose a forfeiture on the recipient.

3           **(2)** ECONOMIC DEVELOPMENT ASSISTANCE REPORTING. Annually, no later than  
4           October 1, the corporation shall submit to the joint legislative audit committee and  
5           to the appropriate standing committees of the legislature under s. 13.172 (3) a  
6           comprehensive report assessing economic development programs implemented by  
7           the corporation. The corporation shall make readily accessible to the public on an  
8           Internet–based system the information required under this subsection. The report  
9           shall include all of the following information:

10           (a) A description of each program.

11           (b) Quantifiable performance measures directly related to the purpose of the  
12           program including, when applicable, all of the following information:

13           1. An accounting of the location, by municipality, of each job created or retained  
14           in the state in the previous fiscal year as a result of the program.

15           2. An accounting of the industry classification, by municipality, of each job  
16           created or retained in the state in the previous fiscal year as a result of the program.

17           (c) A comparison of expected and actual program outcomes.

18           (d) The number of grants made under the program in the previous fiscal year.

19           (e) The number of loans made under the program in the previous fiscal year.

20           (f) The amount of tax benefits allocated and verified under the program in the  
21           previous fiscal year.

22           (g) The amount of each grant and loan made under the program in the previous  
23           fiscal year.

24           (h) The recipient of each grant or loan made under the program in the previous  
25           fiscal year.

1 (i) The recipients of tax benefits allocated and verified under the program in  
2 the previous fiscal year.

3 (j) The sum total of all grants and loans awarded to and received by each  
4 recipient under the program in the previous fiscal year.”.

5 **34.** Page 1173, line 3: after that line insert:

6 “**SECTION 2859p.** 238.03 (5) of the statutes is created to read:

7 238.03 (5) No later than January 1, 2012, the board shall establish and  
8 implement economic development programs that are substantially similar to the  
9 economic development programs administered by the department of commerce.  
10 Once the board has established and implemented these programs, the board may not  
11 alter or eliminate the programs unless directed to do so by law.

12 **SECTION 2859r.** 238.03 (6) of the statutes is created to read:

13 238.03 (6) No later than January 1, 2012, the board shall identify all economic  
14 development programs at the department of commerce that require a change in law  
15 for the board to establish and implement and shall submit a report to the chief clerks  
16 of the legislature, for distribution to the legislature under s. 13.172 (2), containing  
17 proposed legislation to allow the board to establish and implement the programs.”.

18 **35.** Page 1173, line 3: after that line insert:

19 “**SECTION 2859mb.** 238.03 (2) (intro.) of the statutes, as created by 2011  
20 Wisconsin Act 7, is amended to read:

21 238.03 (2) (intro.) For each program developed and implemented by the board  
22 under sub. (1), the board shall do all of the following:

23 **SECTION 2859mc.** 238.03 (3) (intro.) of the statutes, as created by 2011  
24 Wisconsin Act 7, is amended to read:

1           238.03 (3) (intro.) The board shall require for each program developed and  
2 implemented by the board under sub. (1) all of the following:

3           **SECTION 2859me.** 238.03 (3m) of the statutes is created to read:

4           238.03 (3m) The board shall develop and implement a program to identify and  
5 respond to potential retention problems for companies doing business in Wisconsin.  
6 The program shall include all of the following:

7           (a) Identification of the top 300 companies doing business in this state based  
8 on a company's number of employees, capital investment in this state, and overall  
9 economic impact on this state.

10          (b) A business retention strategy that targets industries and industry clusters  
11 based on the collection and analysis of data related to the economic viability of the  
12 companies identified in par. (a).

13          (c) Development and implementation of an early detection and response  
14 system to potential retention problems that includes annual visits to the companies  
15 identified under par. (a).

16          (d) Creation of a database that includes business retention case histories, best  
17 practices, and retention specialists, and other information that is useful to identify  
18 and respond to retention challenges, as determined by the board.”.

19           **36.** Page 1175, line 20: after that line insert:

20           **SECTION 2864m.** 238.27 of the statutes is created to read:

21           **238.27 Wisconsin growth initiative.** The corporation shall implement a  
22 program to issue bonds and notes to raise capital for investment in Wisconsin  
23 businesses on behalf of the corporation by up to 10 venture capital funds. The  
24 program may not raise more than a total of \$100,000,000, and may not raise funds

1 after December 31, 2016. The corporation shall provide the capital raised under the  
2 program to venture capital funds that agree to do all of the following:

3 (1) Invest the capital on behalf of the corporation in Wisconsin businesses in  
4 various industry sectors and in different stages of development.

5 (2) Require a business in which the capital is to be invested to raise funds from  
6 sources other than the state or the corporation in an amount equal to 4 times the  
7 amount of capital to be invested on behalf of the corporation.

8 (3) Maintain offices, staff, and investment in this state.”.

9 **37.** Page 1176, line 3: after that line insert:

10 “**SECTION 2865g.** Subchapter III (title) of chapter 238 [precedes 238.40] of the  
11 statutes is created to read:

12 **CHAPTER 238**

13 **SUBCHAPTER III**

14 **WISCONSIN DEVELOPMENT FUND**

15 **SECTION 2865r.** Subchapter IV (title) of chapter 238 [precedes 238.50] of the  
16 statutes is created to read:”.

17 **CHAPTER 238**

18 **SUBCHAPTER IV**

19 **REGULATORY ASSISTANCE TO BUSINESSES**

20 **SECTION 2865s.** Subchapter V (title) of chapter 238 [precedes 238.60] of the  
21 statutes is created to read:

22 **CHAPTER 238**

23 **SUBCHAPTER V**

24 **WISCONSIN DEVELOPMENT FUND**

1           **38.** Page 1307, line 12: delete that line and substitute:

2           “**SECTION 3340m.** 560.128 of the statutes is renumbered 238.2995 and  
3 238.2995 (1) (intro.) and (2) (intro.), as renumbered, are amended to read:

4           238.2995 **(1)** (intro.) ~~From the appropriations under s. 20.143 (1) (c), (gm), (hr),~~  
5 ~~(ie), (m), (mr), and (n), the department~~ The corporation may make a loan to a  
6 manufacturing business in this state to do any of the following:

7           **(2)** (intro.) The department corporation shall ~~promulgate rules establishing~~  
8 establish eligibility criteria that do all of the following:”.

9           **39.** Page 1308, line 18: delete that line and substitute:

10           “**SECTION 3354m.** 560.203 of the statutes is renumbered 238.23 and amended  
11 to read:

12           **238.23 Targeted microloans.** The department corporation shall create a  
13 pilot program for making microloans ~~from the appropriation under s. 20.143 (1) (c)~~  
14 at nominal interest rates for the creation of new businesses. The department  
15 corporation shall designate 2 areas of the state, one urban and one rural, that are  
16 affected by high unemployment. Only residents of the areas designated by the  
17 department corporation are eligible for loans under this section, and the amount of  
18 a loan under this section may not exceed \$25,000. ~~The department~~ corporation shall,  
19 through a competitive process, select a Wisconsin nonprofit finance corporation to  
20 administer the pilot program. The department corporation shall partner with  
21 federal, state, regional, and local economic development entities to provide business  
22 training for applicants and borrowers under this section. The department  
23 corporation may not make a loan under this section after July 31, 2013.”.

24           **40.** Page 1319, line 12: delete that line and substitute:

1           **“SECTION 3376c.** 560.27 (1) (a) of the statutes is repealed.

2           **SECTION 3376d.** 560.27 (1) (b) of the statutes is repealed.

3           **SECTION 3376e.** 560.27 (1) (c) of the statutes is renumbered 238.03 (7) and  
4 amended to read:

5           238.03 (7) ~~Annually, beginning in fiscal year 2010–11, the department shall~~  
6 ~~award a grant of \$100,000 from the appropriation under s. 20.143 (1) (d) to the~~  
7 ~~high–technology business development corporation. The department corporation~~  
8 ~~shall enter into an agreement with the high–technology business development~~  
9 ~~corporation requiring the grant proceeds to be used for employing employ a grant~~  
10 ~~writer to assist businesses to apply for federal small business innovation research~~  
11 ~~grants. The department corporation shall submit annually to the legislature under~~  
12 ~~s. 13.172 (2) a report detailing the number of grant applications assisted by the grant~~  
13 ~~writer, the number of applications assisted by the grant writer that won grants and~~  
14 ~~the total amount of the grants, and the number of any jobs created as a result of the~~  
15 ~~grant writer’s activities.~~

16           **SECTION 3376f.** 560.27 (2) of the statutes is repealed.

17           **SECTION 3376g.** 560.27 (3) of the statutes is repealed.

18           **SECTION 3376h.** 560.27 (4) of the statutes is repealed.

19           **SECTION 3376k.** 560.27 (5) of the statutes is repealed.”.

20           **41.** Page 1319, line 14: delete that line and substitute:

21           **“SECTION 3378m.** 560.276 of the statutes is renumbered 238.235, and 238.235  
22 (1) (a) and (2) (intro.), (a), (b), (c) and (d), as renumbered, are amended to read:

23           238.235 (1) (a) “Business” ~~has the meaning given in s. 560.60 (2) means a~~  
24 ~~company located in this state, a company which has made a firm commitment to~~

1 locate a facility in this state or a group of companies at least 80% of which are located  
2 in this state.

3 (2) GRANTS AND LOANS. (intro.) ~~From the appropriations under s. 20.143 (1) (c),~~  
4 ~~(fi), (ie), (ig), (io), and (kj), the department~~ The corporation may award a grant or loan  
5 to a research institution to provide money for research and development activities  
6 related to the creation or retention of jobs by a business, or to improving the  
7 competitive position of a business by improving the innovativeness of the business.  
8 The ~~department~~ corporation may award a grant or loan under this section if the  
9 research institution applies for a grant or loan on a form prepared by the ~~department~~  
10 corporation and all of the following are satisfied:

11 (a) ~~The department~~ corporation determines that the research and development  
12 activities are likely to result in an economic benefit to one or more specific businesses.

13 (b) ~~The department~~ corporation determines that the research and development  
14 activities will be conducted substantially in this state.

15 (c) ~~The department~~ corporation considers the availability of matching funds  
16 from the research institution, the business, and other sources.

17 (d) ~~The department~~ corporation enters into a written agreement with the  
18 research institution that specifies the conditions for use of the grant or loan proceeds,  
19 including reporting and auditing requirements.”.

20 **42.** Page 1320, line 15: delete lines 15 to 18 and substitute:

21 **“SECTION 3391b.** 560.41 (1c), (1g), (1n) and (1r) of the statutes are renumbered  
22 238.50 (1), (2), (3) and (4).

23 **SECTION 3391d.** 560.41 (1w) of the statutes is repealed.

24 **SECTION 3391f.** 560.41 (2) of the statutes is renumbered 238.50 (5).

1           **SECTION 3391h.** 560.42 of the statutes is renumbered 238.51 and 238.51 (1m)  
2 (intro.) and (a), (2) (a) (intro.), (2m) (intro.), (2r), (3), (4) (a), (b) and (c) and (5), as  
3 renumbered, are amended to read:

4           **238.51 (1m) ASSISTANCE TO BUSINESSES.** The ~~office~~ corporation shall do all of the  
5 following:

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

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

15           **(2m) ADVOCACY.** (intro.) The ~~office~~ corporation shall provide advocacy services  
16 before agencies on behalf of permit applicants. These services shall include all of the  
17 following:

18           **(2r) MEDIATION AND DISPUTE RESOLUTION SERVICES.** The ~~office~~ corporation may  
19 provide mediation or other dispute resolution services to facilitate the resolution of  
20 a dispute between an agency and a person applying for a permit. The provision of  
21 mediation or other dispute resolution services under this subsection does not affect  
22 any right that the person may have to a contested hearing under ch. 227.

23           **(3) ASSISTANCE BY OFFICE CORPORATION.** (a) The ~~office~~ corporation may charge  
24 for services provided under this subchapter. Any amount charged for services may  
25 not exceed the actual cost of the service provided, unless a specific charge for the



1 service, or method of calculating the charge, is provided by law. ~~All amounts received~~  
2 ~~under this paragraph shall be deposited in the appropriation account under s. 20.143~~  
3 ~~(1) (gc).~~

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

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

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

13 **(4)** (a) The ~~office~~ corporation shall maintain and publicize the availability of  
14 a toll-free telephone line available to in-state and out-of-state callers to the ~~office~~  
15 corporation.

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

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

21 **(5)** ~~STAFFING AND REPORT~~ REPORT. ~~The office shall be staffed by at least 2~~  
22 ~~full-time employees of the department.~~ The ~~office~~ corporation shall annually submit  
23 to the chief clerk of each house of the legislature for distribution to the appropriate  
24 standing committees under s. 13.172 (3) a report on the work of the ~~office~~ corporation  
25 under this section.

1           **SECTION 3391j.** 560.43 of the statutes is renumbered 238.52 and 238.52 (1) (a),  
2 (b), (c) and (g) and (2) (intro.) and (d), as renumbered, are amended to read:

3           238.52 (1) (a) Designate a staff person to coordinate agency cooperation with  
4 ~~office~~ corporation staff, provide information to ~~office~~ corporation staff on the permit  
5 process and direct ~~office~~ corporation staff to appropriate staff within the agency.

6           (b) Cooperate with ~~office~~ corporation staff and respond promptly to requests for  
7 assistance in expediting and requests for information on the permit process under  
8 s. ~~560.42~~ 238.51.

9           (c) Include material provided by the ~~office~~ corporation under s. ~~560.42~~ 238.51  
10 (4) in any public informational material on permits that it provides.

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

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

17           (d) The agency shall invite participation by ~~office~~ corporation staff in  
18 preapplication meetings when appropriate.

19           **SECTION 3391i.** 560.44 of the statutes is renumbered 238.53 and 238.53 (1)  
20 (intro.) and (2), as renumbered, are amended to read:

21           238.53 (1) OMBUDSMAN. (intro.) The ~~office~~ corporation shall act as an  
22 ombudsman for brownfields redevelopment projects. As ombudsman, the ~~office~~  
23 corporation shall do all of the following:

24           **(2) ADMINISTRATION OF BROWNFIELDS PROGRAMS.** The ~~office~~ corporation shall  
25 assist in administering the grant program under s. ~~560.13~~ 238.13 and—in

1 administering grants and loans under s. 560.138 that are made for brownfields  
2 remediation projects.”.

3 **43.** Page 1320, line 17: delete lines 7 to 12 and substitute:

4 “**SECTION 3384m.** 560.30 of the statutes is renumbered 238.40 and 238.40 (5),  
5 (10) and (11), as renumbered, are amended to read:

6 238.40 (5) “Economically distressed area” means an area designated by the  
7 department using the methodology established by rule under s. 560.301 (2)  
8 corporation.

9 (10) “Minority business” has the meaning given in s. 560.036 16.287 (1) (e).

10 (11) “Minority group member” has the meaning given in s. 560.036 16.287 (1)  
11 (f).

12 **SECTION 3385m.** 560.301 of the statutes is renumbered 238.41 and 238.41  
13 (intro.), (1), (2) (intro.), (4) (intro.) and (5), as renumbered, are amended to read:

14 **238.41 Rules, policies, and standards for awarding grants and making**  
15 **loans.** (intro.) The department corporation shall promulgate adopt rules that  
16 establish procedures, policies, and standards for implementing this subchapter and  
17 awarding grants and making loans under this subchapter. The rules shall include  
18 all of the following:

19 (1) A statement of the department’s economic development objectives for the  
20 program under this subchapter, together with the goals and accountability measures  
21 required under s. 560.01 (2) (ae) of the corporation.

22 (2) (intro.) The methodology for designating an area as economically  
23 distressed. The methodology under this subsection shall require the department

1 corporation to consider the most current data available for the area and for the state  
2 on the following indicators:

3 (4) (intro.) Procedures related to grants and loans under s. 560.304 238.44 for  
4 all of the following:

5 (5) Conditions applicable to a grant awarded or loan made under s. 560.304  
6 238.44.

7 **SECTION 3386m.** 560.302 of the statutes is renumbered 238.42 and 238.42  
8 (intro.) and (8), as renumbered, are amended to read:

9 **238.42 Grant and loan criteria.** (intro.) Upon receipt of an application by  
10 an eligible recipient, the ~~department~~ corporation may consider any of the following  
11 in determining whether to award a grant or make a loan under s. 560.304 238.44:

12 (8) Any other criteria established by the ~~department by rule~~ corporation,  
13 including the types of projects that are eligible for funding and the types of eligible  
14 projects that will receive priority.

15 **SECTION 3387m.** 560.303 of the statutes is repealed.

16 **SECTION 3388m.** 560.304 of the statutes is renumbered 238.44 and amended  
17 to read:

18 **238.44 Forward innovation fund.** The ~~department~~ corporation may award  
19 a grant or make a loan to an eligible recipient ~~from the appropriations under s. 20.143~~  
20 ~~(1) (fi), (gm), and (io).~~ The department shall consult with the board prior to awarding  
21 a grant or making a loan under this section.

22 **SECTION 3389m.** 560.305 of the statutes is renumbered 238.45 and 238.45 (1)  
23 (intro.) and (a), (2), (3) and (4), as renumbered, are amended to read:

24 238.45 (1) (intro.) The ~~department~~ corporation shall encourage small  
25 businesses to apply for grants and loans under this subchapter by ensuring that

1 there are no undue impediments to their participation and by actively encouraging  
2 small businesses to apply for grants and loans. The department corporation shall  
3 do all of the following:

4 (a) Publish and disseminate information about projects that may be funded by  
5 a grant or loan under s. ~~560.304~~ 238.44 and about procedures for applying for grants  
6 and loans under s. ~~560.304~~ 238.44.

7 (2) The department corporation may charge a grant or loan recipient an  
8 origination fee of not more than 2 percent of the grant or loan amount if the grant  
9 or loan equals or exceeds \$100,000. ~~The department shall deposit all origination fees~~  
10 ~~collected under this subsection into the appropriation account under s. 20.143 (1)~~  
11 ~~(gm).~~

12 (3) The department corporation shall develop a policy relating to obtaining  
13 reimbursement of grants and loans provided under this subchapter. The policy may  
14 provide that reimbursement shall be obtained through full repayment of the  
15 principal amount of the grant or loan plus interest, through receipt of a share of  
16 future profits from or an interest in a product or process, or through any other  
17 appropriate means.

18 (4) The department corporation shall require, as a condition of a grant or loan,  
19 that a recipient contribute to a project an amount that is not less than 25 percent of  
20 the amount of the grant or loan.”.

21 **44.** Page 1321, line 3: delete lines 3 to 8 and substitute:

22 “SECTION 3401m. 560.60 of the statutes is renumbered 238.60 and 238.60 (4),  
23 as renumbered, is amended to read:

1           238.60 (4) “Eligible recipient” means a governing body or a person who is  
2 eligible to receive a grant or loan under s. ~~560.61~~ 238.61.

3           **SECTION 3402m.** 560.602 of the statutes is renumbered 238.602 and 238.602  
4 (intro.) and (1), as renumbered, are amended to read:

5           **238.602 Policies and standards for awarding grants and loans.** (intro.)  
6 The department corporation shall promulgate adopt rules to establish policies and  
7 standards for awarding grants and loans under this subchapter. The rules shall  
8 include all of the following:

9           **(1)** A statement of the department’s corporation’s economic development policy  
10 that is consistent and coordinated with economic development policies expressed in  
11 the statutes ~~and established by other state agencies~~.

12           **SECTION 3403m.** 560.605 of the statutes is renumbered 238.605 and 238.605  
13 (1) (intro.), (2m) (intro.) and (h) and (7) (intro.) and (f), as renumbered are amended  
14 to read:

15           238.605 **(1)** (intro.) Upon receipt of an application by an eligible recipient, the  
16 department corporation may consider any of the following in determining whether  
17 to award a grant or loan under s. ~~560.61~~ 238.61:

18           **(2m)** (intro.) When considering whether a project will be located in a targeted  
19 area, the department corporation may consider any of the following:

20           (h) Any other factor the department corporation considers to be an appropriate  
21 indicator of a targeted area.

22           **(7)** (intro.) The department corporation shall award not less than 35 percent  
23 of the total amount of grants and loans made under this subchapter to businesses in  
24 distressed areas. In this paragraph, “distressed area” means an area to which any  
25 of the following apply:

1 (f) As determined by the department corporation, the area is affected by  
2 another factor that indicates the area is a distressed area.

3 **SECTION 3404m.** 560.607 of the statutes is repealed.

4 **SECTION 3405m.** 560.61 of the statutes is renumbered 238.61 and amended to  
5 read:

6 **238.61 Wisconsin development fund.** The department corporation may  
7 make a grant or loan to an eligible recipient ~~from the appropriations under s. 20.143~~  
8 ~~(1)(c) and (ie)~~ under this subchapter.

9 **SECTION 3406m.** 560.68 of the statutes is renumbered 238.68 and 238.68 (1m),  
10 (2), (2m), (3), (4), (5) (intro.), (5m), (6), (7) (intro.) and (a), as renumbered, are  
11 amended to read:

12 **238.68 (1m)** The department corporation shall establish criteria for the award  
13 of grants and loans under s. ~~560.61~~ 238.61, including the types of projects that are  
14 eligible for funding and the types of eligible projects that will receive priority.

15 **(2)** The department corporation shall actively encourage small businesses to  
16 apply for grants and loans under this subchapter by ensuring that there are no undue  
17 impediments to their participation and by assisting small businesses in preparing  
18 grant and loan applications.

19 **(2m)** The department corporation shall determine conditions applicable to a  
20 grant or loan under s. ~~560.61~~ 238.61.

21 **(3)** The department corporation may charge a grant or loan recipient an  
22 origination fee of not more than 2% of the grant or loan amount if the grant or loan  
23 equals or exceeds \$100,000. ~~The department shall deposit all origination fees~~  
24 ~~collected under this subsection in the appropriation account under s. 20.143 (1) (gm).~~

1           **(4)** The department corporation shall develop a policy relating to obtaining  
2 reimbursement of grants and loans provided under this subchapter. The policy may  
3 provide that reimbursement shall be obtained through full repayment of the  
4 principal amount of the grant or loan plus interest, through receipt of a share of  
5 future profits from or an interest in a product or process, or through any other  
6 appropriate means.

7           **(5)** (intro.) The department corporation shall develop procedures related to  
8 grants and loans under s. ~~560.61~~ 238.61 for all of the following:

9           **(5m)** The department corporation shall establish and implement procedures  
10 for monitoring the use of grants and loans awarded under this subchapter, including  
11 procedures for verification of economic growth, job creation and the number and  
12 percentage of newly created jobs for which state residents are hired.

13           **(6)** The department corporation shall require, as a condition of a grant or loan,  
14 that a recipient contribute to a project an amount that is not less than 25% of the  
15 amount of the grant or loan.

16           **(7)** (intro.) The department corporation shall encourage small businesses to  
17 apply for grants and loans under this subchapter by ensuring that there are no undue  
18 impediments to their participation and by actively encouraging small businesses to  
19 apply for grants and loans. The department corporation shall do all of the following:

20           (a) Publish and disseminate information about projects that may be funded by  
21 a grant or loan under s. ~~560.61~~ 238.61 and about procedures for applying for grants  
22 and loans under s. ~~560.61~~ 238.61.”

23           **45.** Page 1458, line 18: after that line insert:



1           “(2f) SPECIAL COMMITTEE TO STUDY CONDITION OF UNEMPLOYMENT RESERVE FUND.  
2           There is created a special committee to study the fiscal condition of the  
3           unemployment reserve fund. The committee shall consist of the speaker of the  
4           assembly, the minority leader of the assembly, and the senate majority and minority  
5           leaders. The director of the legislative fiscal bureau shall call the first meeting of the  
6           committee. At the first meeting, the committee shall elect cochairpersons. The  
7           legislative fiscal bureau and the department of workforce development shall provide  
8           staffing assistance to the committee. The committee shall explore alternatives and  
9           make recommendations to restore the unemployment reserve fund to a sound fiscal  
10          condition. The committee shall report its findings and recommendations, together  
11          with proposed legislative changes, to the governor, to the joint committee on finance,  
12          and to the appropriate standing committees of the legislature in the same manner  
13          as provided in section 13.172 (3) of the statutes, no later than December 31, 2011.”.

14           **46.** Page 1493, line 4: after that line insert:

15           “(4f) UNIVERSITY OF WISCONSIN SYSTEM POSITION AUTHORIZATIONS. The  
16           authorized FTE positions for the Board of Regents of the University of Wisconsin  
17           System, funded from the appropriation under section 20.285 (1) (a) of the statutes,  
18           are increased by 15.0 GPR positions to provide faculty at the Wisconsin Institute for  
19           Discovery at the University of Wisconsin–Madison.”.

20           **47.** Page 1502, line 19: after that line insert:

21           “(1f) COMMUNITY ACTION AGENCIES; SKILLS ENHANCEMENT GRANTS. In the schedule  
22           under section 20.005 (3) of the statutes for the appropriation to the department of  
23           children and families under section 20.437 (2) (fr) of the statutes, as affected by the  
24           acts of 2011, the dollar amount is increased by \$250,000 for the first fiscal year of the

1 fiscal biennium in which this subsection takes effect to provide funding for skills  
2 enhancement grants under section 49.265 (4) (cm) of the statutes. In the schedule  
3 under section 20.005 (3) of the statutes for the appropriation to the department of  
4 children and families under section 20.437 (2) (fr) of the statutes, as affected by the  
5 acts of 2011, the dollar amount is increased by \$250,000 for the second fiscal year of  
6 the fiscal biennium in which this subsection takes effect to provide funding for skills  
7 enhancement grants under section 49.265 (4) (cm) of the statutes.”.

8 **48.** Page 1518, line 24: after that line insert:

9 “(4f) TECHNICAL COLLEGE ADVANCED MANUFACTURING SKILLS TRAINING GRANTS. The  
10 treatment of section 38.41 (3) (d) of the statutes first applies to individuals who are  
11 trained under grants made on the effective date of this subsection.”.

12 **49.** Page 1520, line 21: delete lines 21 to 23.

13 **50.** Page 1531, line 5: delete “(by SECTION 241f)”.

14 (END)