

ASSEMBLY BILL 508 (LRB -3259)

An Act to repeal 231.01 (3c), 231.01 (3m) and 231.01 (5r); to amend 66.0621 (1) (b), 231.01 (4) (a), 231.01 (4) (b) 1., 231.01 (4) (b) 2., 231.01 (4) (b) 5., 231.01 (4) (c), 231.01 (7) (a) 1., 231.01 (7) (a) 2., 231.01 (7) (a) 4., 231.01 (7) (c), 231.02 (6) (b), 231.03 (5), 231.03 (6) (b), 231.03 (6) (g), 231.03 (7), 231.03 (8), 231.03 (11), 231.03 (13), 231.03 (14), 231.03 (15), 231.03 (16), 231.03 (17), 231.03 (18), 231.03 (19), 231.04, 231.05 (1), 231.06, 231.07 (1) (b), 231.07 (2) (a), 231.08 (3), 231.08 (5), 231.10 (1), 231.12, 231.13 (1) (intro.), 231.13 (2), 231.16 (1), 231.16 (3), 231.20 and 231.23; and to create 231.01 (5) (a) 7., 231.01 (5n), 231.01 (5p), 231.01 (6m), 231.03 (6) (j) and 231.03 (6) (k) of the statutes; relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to nonprofit facilities. (FE)

2012

02-01.	A.	Introduced by Representatives Krug, Bernier, Endsley, Kerkman, Petryk, Steineke and Strachota; cosponsored by Senators Olsen and Holperin.	
02-01.	A.	Read first time and referred to joint committee on Finance	772
02-02.	A.	Fiscal estimate received.	
02-24.	A.	Withdrawn from joint committee on Finance and referred to committee on Jobs, Economy and Small Business	854
02-28.	A.	Fiscal estimate received.	
02-28.	A.	Public hearing held.	
02-29.	A.	Executive action taken.	
02-29.	A.	Assembly amendment 1 offered by committee on Jobs, Economy and Small Business (LRB a2516)	898
03-02.	A.	Report Assembly Amendment 1 adoption recommended by committee on Jobs, Economy and Small Business, Ayes 10, Noes 0	869
03-02.	A.	Report passage as amended recommended by committee on Jobs, Economy and Small Business, Ayes 7, Noes 3	869
03-02.	A.	Referred to committee on Rules	869
03-02.	A.	Placed on calendar 3-6-2012 by committee on Rules.	
03-05.	A.	Fiscal estimate received.	
03-06.	A.	Read a second time	889
03-06.	A.	Assembly amendment 1 adopted	889
03-06.	A.	Ordered to a third reading	889
03-06.	A.	Rules suspended	889
03-06.	A.	Refused to refer to committee on Jobs, Economy and Small Business, Ayes 38, Noes 59	889
03-06.	A.	Read a third time and passed , Ayes 68, Noes 29	889
03-06.	A.	Ordered immediately messaged	889
03-07.	S.	Received from Assembly	774
03-07.	S.	Read first time and referred to committee on Economic Development and Veterans and Military Affairs	774
03-08.	S.	Public hearing held.	
03-09.	S.	Executive action taken.	
03-09.	S.	Report concurrence recommended by committee on Economic Development and Veterans and Military Affairs, Ayes 6, Noes 1	782
03-09.	S.	Available for scheduling.	
03-12.	S.	Placed on calendar 3-13-2012 pursuant to Senate Rule 18(1)	789
03-13.	S.	Read a second time.	
03-13.	S.	Ordered to a third reading.	
03-13.	S.	Rules suspended.	
03-13.	S.	Read a third time and concurred in , Ayes 32, Noes 1.	
03-13.	S.	Ordered immediately messaged.	
03-13.	A.	Received from Senate concurred in	911

9MB

2011
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11en AB-508

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11-3259/1

Amendments to above (if none, write "NONE"): AA1 — a 2516/1
none

Corrections - show date (if none, write "NONE"): None ^{in enrolling} cc 3/19/12

Topic Rel as amended

3-15-12
Date

JRM
Enrolling Drafter



2011 ASSEMBLY BILL 508

February 1, 2012 - Introduced by Representatives KRUG, BERNIER, ENDSLEY, KERKMAN, PETRYK, STEINEKE and STRACHOTA, cosponsored by Senators OLSEN and HOLPERIN. Referred to Joint Committee on Finance.

1 **AN ACT** *to repeal* 231.01 (3c), 231.01 (3m) and 231.01 (5r); *to amend* 66.0621 (1)
2 (b), 231.01 (4) (a), 231.01 (4) (b) 1., 231.01 (4) (b) 2., 231.01 (4) (b) 5., 231.01 (4)
3 (c), 231.01 (7) (a) 1., 231.01 (7) (a) 2., 231.01 (7) (a) 4., 231.01 (7) (c), 231.02 (6)
4 (b), 231.03 (5), 231.03 (6) (b), 231.03 (6) (g), 231.03 (7), 231.03 (8), 231.03 (11),
5 231.03 (13), 231.03 (14), 231.03 (15), 231.03 (16), 231.03 (17), 231.03 (18),
6 231.03 (19), 231.04, 231.05 (1), 231.06, 231.07 (1) (b), 231.07 (2) (a), 231.08 (3),
7 231.08 (5), 231.10 (1), 231.12, 231.13 (1) (intro.), 231.13 (2), 231.16 (1), 231.16
8 (3), 231.20 and 231.23; and *to create* 231.01 (5) (a) 7., 231.01 (5n), 231.01 (5p),
9 231.01 (6m), 231.03 (6) (j) and 231.03 (6) (k) of the statutes; **relating to:**

10 authorizing the Wisconsin Health and Educational Facilities Authority to issue
11 bonds to finance projects related to nonprofit facilities.

INS. AA1-1

Analysis by the Legislative Reference Bureau

Under current law, the Wisconsin Health and Educational Facilities Authority (WHEFA) may issue bonds to finance certain projects of health, educational, or research institutions; to refinance outstanding debt of health, educational, or research institutions; and to finance a purchase of the state's right to receive any of

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the payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998. Projects of health, educational, or research institutions that may be financed include, among others, the acquisition of a hospital, the construction or operation of an ambulatory surgery center or home health agency, and the construction, remodeling, furnishing, or equipping of a health, educational, or research facility or related structure.

This bill authorizes WHEFA to issue bonds to finance any project undertaken by a nonprofit institution for a nonprofit facility, or to refinance outstanding debt of a nonprofit institution. A nonprofit institution is defined in the bill as a nonprofit entity that is not a health, education, or research institution. A nonprofit facility is defined in the bill as a facility that is owned or operated by a nonprofit entity. Project activities for which WHEFA may issue bonds for a nonprofit institution include construction, acquisition, remodeling, furnishing, and equipping of nonprofit facilities, related structures, and structures or items that are useful for the operation of nonprofit facilities.

This bill also makes the following changes to WHEFA's bonding authority:

1. Extends the maximum bond maturity date for bonds issued by WHEFA from 30 years from the date of issue to 50 years from the date of issue.
2. Eliminates the requirement the certain refinancing projects for health institutions be certified by the Department of Health Services.
3. Changes the working capital limits that must be included in the cost of a project to be consistent with federal law.
4. Eliminates references to WHEFA's authority to issue bonds to participating child care providers which expired on May 1, 2000.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

INS. AA1-2

INS. AA1-3

1 ~~SECTION~~ 66.0621 (1) (b) of the statutes is amended to read:

2 66.0621 (1) (b) "Public utility" means any revenue producing facility or
3 enterprise owned by a municipality and operated for a public purpose as defined in
4 s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis
5 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,
6 city halls, village halls, town halls, courthouses, jails, schools, cooperative
7 educational service agencies, hospitals, homes for the aged or indigent, child care
8 centers, as defined in s. 231.01 (3e), regional projects, waste collection and disposal

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1 operations, sewerage systems, local professional baseball park facilities, local
2 professional football stadium facilities, local cultural arts facilities, and any other
3 necessary public works projects undertaken by a municipality.

4 SECTION 2. 231.01 (3c) of the statutes is repealed.

INS. AAI-4

5 SECTION 3. 231.01 (3m) of the statutes is repealed.

6 SECTION 4. 231.01 (4) (a) of the statutes is amended to read:

7 231.01 (4) (a) "Cost" means the sum of all costs incurred by a participating

8 health institution, participating educational institution, participating research

INS. AAI-5

9 ~~institution, or participating child care provider nonprofit institution~~, as approved by

10 the authority, as are reasonable and necessary to accomplish the project, exclusive

11 of any private or federal, state, or local financial assistance received by the

INS. AAI-6

12 participating health institution, participating educational institution, participating

13 ~~research institution, or participating child care provider nonprofit institution~~ for the

INS. AAI-7

14 payment of the project cost.

15 SECTION 5. 231.01 (4) (b) 1. of the statutes is amended to read:

16 231.01 (4) (b) 1. The cost incurred by or on behalf of the participating health

17 institution, participating educational institution, participating research institution,

INS. AAI-8

INS. AAI-9

18 ~~or participating child care provider nonprofit institution~~ of all necessary

19 developmental, planning, and feasibility studies, surveys, plans, and specifications,

20 architectural, engineering, legal, or other special services, the cost of acquisition of

INS. AAI-1c

21 land and any buildings and improvements on the land, site preparation, and

22 development including demolition or removal of existing structures, construction,

23 reconstruction, and equipment, including machinery, fixed equipment, and personal

24 property.

25 SECTION 6. 231.01 (4) (b) 2. of the statutes is amended to read:

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1 231.01 (4) (b) 2. The reasonable cost of financing incurred by a participating
 2 health institution, participating educational institution, ^{INS. AAI-11} participating research
 3 institution, or participating ~~child care provider~~ nonprofit institution in the course of
 4 the development of the project to the occupancy date.

5 SECTION 7. 231.01 (4) (b) 5. of the statutes is amended to read:

6 231.01 (4) (b) 5. Working capital not exceeding 3% of the estimated total project
 7 cost or 3% of the actual total final cost, whichever is larger the amounts permitted
 8 under 26 CFR 1.148-6 (d) (3).

9 SECTION 8. 231.01 (4) (c) of the statutes is amended to read:

10 231.01 (4) (c) All rents and other net revenues from the operation of the real
 11 property, improvements, or personal property on the project site by a participating
 12 health institution, participating educational institution, ^{INS. AAI-13} participating research
 13 institution, or participating ~~child care provider~~ nonprofit institution on and after the
 14 date on which the contract between a participating health institution, participating
 15 educational institution, participating research institution, or participating ~~child~~
 16 ~~care provider~~ nonprofit institution and the authority was entered into, but prior to
 17 the occupancy date, shall reduce the sum of all costs in this subsection.

18 SECTION 9. 231.01 (5) (a) 7. of the statutes is created to read:

19 231.01 (5) (a) 7. Any hospital, ambulatory surgical center, skilled nursing
 20 facility, community-based residential facility, assisted living facility, home health
 21 agency, hospice, rehabilitation facility, medical office or clinic, or other similar
 22 facility that is located outside of this state.

23 SECTION 10. 231.01 (5n) of the statutes is created to read:

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1 231.01 (5n) "Nonprofit entity" means an entity that is described in section 501
2 (c) (3) of the Internal Revenue Code and that is exempt from federal income tax under
3 section 501 (a) of the Internal Revenue Code.

4 SECTION 11. 231.01 (5p) of the statutes is created to read:

5 231.01 (5p) "Nonprofit facility" means a facility that is owned or operated by
6 a nonprofit entity.

7 SECTION 12. 231.01 (5r) of the statutes, as affected by 2011 Wisconsin Act 32,
8 is repealed.

9 SECTION 13. 231.01 (6m) of the statutes is created to read:

10 231.01 (6m) "Participating nonprofit institution" means a nonprofit entity, or
11 an affiliate of that entity, that undertakes the financing and construction or
12 acquisition of a project or undertakes the refunding or refinancing of obligations or
13 of a mortgage or of advances as provided in this chapter, and is not any of the
14 following:

15 1. An entity authorized by state law to provide or operate an educational facility
16 or an affiliate of an entity authorized by state law to provide or operate an
17 educational facility.

18 2. An entity authorized by state law to provide or operate a health facility or
19 an affiliate of an entity authorized by state law to provide or operate a health facility.

20 3. An entity authorized by state law to provide or operate a research facility or
21 an affiliate of an entity authorized by state law to provide or operate a research
22 facility.

23 SECTION 14. 231.01 (7) (a) 1. of the statutes is amended to read:

24 231.01 (7) (a) 1. A specific health facility, educational facility, research facility,
25 or child care center nonprofit facility work or improvement to be refinanced,

INS. AAI-19

INS. AAI-21

INS AAI-21

nonprofit facility

24
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1 acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or
2 equipped by the authority with funds provided in whole or in part under this chapter.

3 SECTION 15. 231.01 (7) (a) 2. of the statutes is amended to read:

4 231.01 (7) (a) 2. One or more structures suitable for use as a child care center,
5 research facility, nonprofit facility, health facility, laboratory, laundry, nurses' or
6 interns' residence or other multi-unit housing facility for staff, employees, patients
7 or relatives of patients admitted for treatment or care in a health facility, physician's
8 facility, administration building, research facility, maintenance, storage, or utility
9 facility.

10 SECTION 16. 231.01 (7) (a) 4. of the statutes is amended to read:

11 231.01 (7) (a) 4. Any structure useful for the operation of a health facility,
12 educational facility, research facility, or child care center nonprofit facility, including
13 facilities or supporting service structures essential or convenient for the orderly
14 conduct of the health facility, educational facility, research facility, or child care
15 center nonprofit facility.

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16 SECTION 17. 231.01 (7) (c) of the statutes, as affected by 2011 Wisconsin Act 32,
17 is amended to read:

18 231.01 (7) (c) "Project" may include more than one project, and it may include
19 any combination of projects undertaken jointly by any participating health
20 institution, participating educational institution, participating research institution,
21 or participating child care provider nonprofit institution with one or more other
22 participating health institutions, participating educational institutions,
23 participating research institutions, or participating child care providers nonprofit
24 institutions.

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25 SECTION 18. 231.02 (6) (b) of the statutes is amended to read:

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1 231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict
2 of interest or violation of this section or of any other law for a trustee, director, officer,
3 or employee of a participating health institution, participating educational
4 institution, participating research institution, or participating ~~child care provider~~
5 nonprofit institution or for a person having the required favorable reputation for
6 skill, knowledge, and experience in state and municipal finance or for a person
7 having the required favorable reputation for skill, knowledge, and experience in the
8 field of health facility, educational facility, research facility, or ~~child care center~~
9 nonprofit facility architecture to serve as a member of the authority; if in each case
10 to which par. (a) is applicable, the trustee, director, officer, or employee of the
11 participating health institution, participating educational institution, participating
12 research institution, or participating ~~child care provider~~ nonprofit institution
13 abstains from discussion, deliberation, action, and vote by the authority in specific
14 respect to any undertaking pursuant to this chapter in which his or her participating
15 health institution, participating educational institution, participating research
16 institution, or participating ~~child care provider~~ nonprofit institution has an interest,
17 or the person having the required favorable reputation for skill, knowledge, and
18 experience in state and municipal finance abstains from discussion, deliberation,
19 action, and vote by the authority in specific respect to any sale, purchase, or
20 ownership of bonds of the authority in which any business of which such person is
21 a participant, owner, officer, or employee has a past, current, or future interest, or
22 such person having the required favorable reputation for skill, knowledge, and
23 experience in the field of health facility, educational facility, research facility, or ~~child~~
24 ~~care center~~ nonprofit facility architecture abstains from discussion, deliberation,
25 action, and vote by the authority in specific respect to construction or acquisition of

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1 any project of the authority in which any business of which such person is a
2 participant, owner, officer, or employee has a past, current, or future interest.

3 SECTION 19. 231.03 (5) of the statutes is amended to read:

4 231.03 (5) Determine the location and character of any project to be financed
5 under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add
6 to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any
7 such purpose, enter into contracts for the management and operation of a project or
8 other health facilities, educational facilities, research facilities, or ~~child care centers~~
9 nonprofit facilities owned by the authority, and designate a participating health
10 institution, participating educational institution, participating research institution,
11 or participating ~~child care provider~~ nonprofit institution as its agent to determine the
12 location and character of a project undertaken by the participating health
13 institution, participating educational institution, participating research institution,
14 or participating ~~child care provider~~ nonprofit institution under this chapter and as
15 the agent of the authority, to construct, reconstruct, remodel, maintain, manage,
16 enlarge, alter, add to, repair, operate, lease as lessee or lessor and regulate the same,
17 and as the agent of the authority, to enter into contracts for any such purpose,
18 including contracts for the management and operation of such project or other health
19 facilities, educational facilities, research facilities, or ~~child care centers~~ nonprofit
20 facilities owned by the authority.

INS. AA1-32

21 SECTION 20. 231.03 (6) (b) of the statutes, as affected by 2011 Wisconsin Act 32,
22 is amended to read:

23 231.03 (6) (b) Refinance outstanding debt of any participating health
24 institution if the ~~department of health services certifies that refinancing will result~~
25 ~~in a reduction in the participating health institution's rates below the rates which~~

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1 ~~would have otherwise prevailed, except that the authority may not refinance any~~
 2 ~~office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455, or the~~
 3 ~~substantially equivalent laws or rules of another state, and except that this~~
 4 ~~certification is not required for the refinancing for a participating health institution~~
 5 ~~that operates a facility as defined under s. 49.45 (6m) (a) 3, or for a participating~~
 6 ~~health institution that is located in another state.~~

7 SECTION 21. 231.03 (6) (g) of the statutes is amended to read:

8 231.03 (6) (g) Finance a purchase, or make a loan, under sub. (20). Bonds
 9 issued under this paragraph shall be payable from, or secured by interests in, tobacco
 10 settlement revenues and such other property pledged under the bond resolution and,
 11 notwithstanding s. 231.08 (3), are not required to mature in ~~30~~ 50 years or less from
 12 the date of issue.

13 SECTION 22. 231.03 (6) (j) of the statutes is created to read:

14 231.03 (6) (j) Finance any project undertaken for a nonprofit facility by a
 15 participating nonprofit institution.

16 SECTION 23. 231.03 (6) (k) of the statutes is created to read:

17 231.03 (6) (k) Refinance outstanding debt of any participating nonprofit
 18 institution.

19 SECTION 24. 231.03 (7) of the statutes is amended to read:

20 231.03 (7) Fix and revise from time to time and charge and collect rates, rents,
 21 fees, and charges for the use of and for the services furnished or to be furnished by
 22 a project or other health facilities, educational facilities, ^{INS, AA1-34} research facilities, or ^{INS, AA1-35} child
 23 care centers nonprofit facilities owned by the authority or any portion thereof,
 24 contract with any person in respect thereto and coordinate its policies and

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1 procedures, and cooperate with recognized health facility, educational facility,
2 research facility, or ~~child care center nonprofit facility~~ rate setting mechanisms

3 SECTION 25. 231.03 (8) of the statutes is amended to read:

4 231.03 (8) Adopt rules for the use of a project or other health facility,
5 educational facility, research facility, or ~~child care center nonprofit facility~~ or any
6 portion of the project or facility owned, financed, or refinanced in whole or in part by
7 the authority, including any property used as security for a loan secured through,
8 from, or with the assistance of the authority. The authority may designate a
9 participating health institution, participating educational institution, participating
10 research institution, or participating ~~child care provider nonprofit institution~~ as its
11 agent to establish rules for the use of a project or other health facilities, educational
12 facilities, research facilities, or ~~child care centers nonprofit facilities~~ undertaken for
13 that participating health institution, participating educational institution,
14 participating research institution, or participating ~~child care provider nonprofit~~
15 institution. The rules shall ensure that a project, health facility, educational facility,
16 research facility, ~~child care center nonprofit facility~~, or property may not be used
17 primarily for sectarian instruction or study or as a place for devotional activities or
18 religious worship.

INS. AA1-38

19 SECTION 26. 231.03 (11) of the statutes is amended to read:

20 231.03 (11) Establish or contract with others to carry out on its behalf a health
21 facility, educational facility, research facility, nonprofit facility, or child care center
22 project cost estimating service, and make this service available on all projects to
23 provide expert cost estimates and guidance to the participating health institution,
24 participating educational institution, participating research institution, or
25 participating ~~child care provider nonprofit institution~~ and to the authority. To

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1 implement this service and, through it, to contribute to cost containment, the
2 authority may require such reasonable reports and documents from health facility,
3 educational facility, research facility, or ~~child care center~~ nonprofit facility projects
4 as are required for this service and for the development of cost reports and
5 guidelines. The authority shall appoint a technical committee on health facility,
6 educational facility, research facility, or ~~child care center~~ nonprofit facility project
7 costs and cost containment.

INS. AA1-39

8 SECTION 27. 231.03 (13) of the statutes is amended to read:

9 231.03 (13) Make loans to any participating health institution, participating
10 educational institution, participating research institution, or, ~~before May 1, 2000,~~
11 participating ~~child care provider~~ nonprofit institution for the cost of a project in
12 accordance with an agreement between the authority and the participating health
13 institution, participating educational institution, participating research institution,
14 or participating ~~child care provider~~ nonprofit institution. The authority may secure
15 the loan by a mortgage or other security arrangement on the health facility,
16 educational facility, research facility, or ~~child care center~~ nonprofit facility granted
17 by the participating health institution, participating educational institution,
18 participating research institution, or participating ~~child care provider~~ nonprofit
19 institution to the authority. The loan may not exceed the total cost of the project as
20 determined by the participating health institution, participating educational
21 institution, participating research institution, or participating ~~child care provider~~
22 nonprofit institution and approved by the authority.

INS AA1-40

23 SECTION 28. 231.03 (14) of the statutes is amended to read:

24 231.03 (14) Make loans to a health facility, educational facility, research
25 facility, or, ~~before May 1, 2000,~~ ~~child care center~~ nonprofit facility for which bonds

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1 may be issued under sub. (6) (b) ~~or, (d) or under s. 231.03 (6) (f), 1999 stats., (i), or (k),~~
2 to refinance the health facility's, educational facility's, research facility's, or ~~child~~
3 ~~care center's~~ nonprofit facility's outstanding debt. The authority may secure the loan
4 or bond by a mortgage or other security arrangement on the health facility,
5 educational facility, research facility, or ~~child care center~~ nonprofit facility granted
6 by the participating health institution, participating educational institution,
7 participating research institution, or participating ~~child care provider~~ nonprofit
8 institution to the authority.

INS. AA1-41

9 SECTION 29. 231.03 (15) of the statutes is amended to read:

10 231.03 (15) Mortgage all or any portion of a project and other health facilities,
11 educational facilities, research facilities, or ~~child care centers~~ nonprofit facilities and
12 the site thereof, whether owned or thereafter acquired, for the benefit of the holders
13 of bonds issued to finance the project, health facilities, educational facilities,
14 research facilities, or ~~child care centers~~ nonprofit facilities or any portion thereof or
15 issued to refund or refinance outstanding indebtedness of participating health
16 institutions, participating educational institutions, participating research
17 institutions, or ~~child care providers~~ participating nonprofit institutions as permitted
18 by this chapter.

INS. AA1-42

19 SECTION 30. 231.03 (16) of the statutes is amended to read:

20 231.03 (16) Lease to a participating health institution, participating
21 educational institution, participating research institution, or participating ~~child~~
22 ~~care provider~~ nonprofit institution the project being financed or other health
23 facilities, educational facilities, research facilities, or ~~child care centers~~ nonprofit
24 facilities conveyed to the authority in connection with such financing, upon such
25 terms and conditions as the authority deems proper, and charge and collect rents

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1 therefor, and terminate any such lease upon the failure of the lessee to comply with
 2 any of the obligations thereof; and include in any such lease, if desired, provisions
 3 that the lessee thereof shall have options to renew the term of the lease for such
 4 periods and at such rent as the authority determines or to purchase all or any part
 5 of the health facilities, educational facilities, research facilities, or ~~child care centers~~
 6 nonprofit facilities or that, upon payment of all of the indebtedness incurred by the
 7 authority for the financing of such project or health facilities, educational facilities,
 8 research facilities, or ~~child care centers~~ nonprofit facilities or for refunding
 9 outstanding indebtedness of a participating health institution, participating
 10 educational institution, participating research institution, or participating ~~child~~
 11 ~~care provider~~ nonprofit institution, the authority may convey all or any part of the
 12 project or such other health facilities, educational facilities, research facilities, or
 13 ~~child care centers~~ nonprofit facilities to the lessees thereof with or without
 14 consideration.

INS. AA1-43

SECTION 31. 231.03 (17) of the statutes is amended to read:

231.03 (17) Charge to and apportion among participating health institutions,
 17 participating educational institutions, participating research institutions, and
 18 participating child care providers nonprofit institutions its administrative costs and
 19 expenses incurred in the exercise of the powers and duties conferred by this chapter.

INS AA1-45

INS. AA1-44

INS. AA1-46

SECTION 32. 231.03 (18) of the statutes is amended to read:

231.03 (18) Make studies of needed health facilities, educational facilities,
 22 research facilities, and ~~child care centers nonprofit facilities~~ that could not sustain
 23 a loan were it made under this chapter and recommend remedial action to the
 24 legislature; and do the same with regard to any laws or rules that prevent health

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1 facilities, educational facilities, research facilities, and ~~child care centers~~ nonprofit

2 facilities from benefiting from this chapter.

3 SECTION 33. 231.03 (19) of the statutes is amended to read:

4 231.03 (19) Obtain, or aid in obtaining, from any department or agency of the
5 United States or of this state or any private company, any insurance or guaranty
6 concerning the payment or repayment of, interest or principal, or both, or any part
7 thereof, on any loan, lease, or obligation or any instrument evidencing or securing
8 the same, made or entered into under the provisions of this chapter; and
9 notwithstanding any other provisions of this chapter, to enter into any agreement,
10 contract, or other instrument with respect to that insurance or guaranty, to accept
11 payment in the manner and form provided therein in the event of default by a

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12 participating health institution, participating educational institution, participating
13 research institution, or participating ~~child care provider~~ nonprofit institution, and

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14 to assign the insurance or guaranty as security for the authority's bonds.

15 SECTION 34. 231.04 of the statutes is amended to read:

16 231.04 Expenses. All expenses of the authority incurred in carrying out this
17 chapter shall be payable solely from funds provided under the authority of this
18 chapter, and no liability may be incurred by the authority beyond the extent to which
19 moneys have been provided under this chapter except that, for the purposes of
20 meeting the necessary expenses of initial organization and operation of the authority
21 for the period commencing on June 19, 1974 and continuing until such date as the
22 authority derives moneys from funds provided to it under the authority of this
23 chapter, the authority may borrow such moneys as it requires to supplement the
24 funds provided under s. 20.440. Such moneys borrowed by the authority shall
25 subsequently be charged to and apportioned among participating health

ASSEMBLY BILL 508

INS. AAI-52

SECTION 34

INS. AAI-5

1 institutions, participating educational institutions, participating research
 2 institutions, and participating ~~child care providers~~ nonprofit institutions in an
 3 equitable manner, and repaid with appropriate interest over a reasonable period of
 4 time.

5 SECTION 35. 231.05 (1) of the statutes is amended to read:

6 231.05 (1) By means of this chapter, it is the intent of the legislature to provide
 7 assistance and alternative methods of financing to nonprofit health institutions to
 8 aid them in providing needed health services consistent with the state's health plan,
 9 ~~to nonprofit educational institutions to aid them in providing needed educational~~
 10 ~~services, to nonprofit research institutions to aid them in providing needed research~~
 11 ~~facilities, and to nonprofit child care providers to aid them in providing needed child~~
 12 ~~care other needed services and facilities in this state.~~

INS AAI-54

13 SECTION 36. 231.06 of the statutes, as affected by 2011 Wisconsin Act 32, is
14 amended to read:

15 231.06 Property acquisition. The authority may acquire, directly or by and
 16 through a participating health institution, participating educational institution,
 17 participating research institution, or participating ~~child care provider~~ nonprofit

INS AAI-51

18 institution as its agent, by purchase or by gift or devise, such lands, structures,
 19 property, rights, rights-of-way, franchises, easements, and other interests in lands,
 20 including lands lying under water and riparian rights, as it deems necessary or
 21 convenient for the construction or operation of a project, upon such terms and at such
 22 prices as it considers reasonable and can be agreed upon between it and the owner
 23 thereof, and take title thereto in the name of the authority or in the name of a health

24 ~~facility, educational facility, research facility, or child care center~~ nonprofit facility
 25 as its agent.

INS. AAI-57

ASSEMBLY BILL 508

SECTION 37

1 SECTION 37. 231.07 (1) (b) of the statutes is amended to read:

2 231.07 (1) (b) Convey to the participating health institution, participating
3 educational institution, participating research institution, or participating ~~child~~
4 ~~care provider~~ nonprofit institution the authority's interest in the project and in any
5 other health facility, educational facility, research facility, or ~~child care center~~
6 nonprofit facility leased, mortgaged, or subject to a deed of trust or any other form
7 of security arrangement to secure the bond. *(INS. AA1-58)*

8 SECTION 38. 231.07 (2) (a) of the statutes is amended to read:

9 231.07 (2) (a) The principal of and interest on any bond issued by the authority
10 to finance a project or to refinance or refund outstanding indebtedness of one or more
11 participating health institutions, participating educational institutions,
12 participating research institutions, or participating ~~child care providers~~ nonprofit
13 institutions, *(INS. AA1-59)* including any refunding bonds issued to refund and refinance the bond,
14 have been fully paid and the bonds retired or if the adequate provision has been made
15 to pay fully and retire the bond; and

16 SECTION 39. 231.08 (3) of the statutes is amended to read:

17 231.08 (3) The bonds may be issued as serial bonds or as term bonds, or the
18 authority may issue bonds of both types. The bonds shall be authorized by a bond
19 resolution of the authority and shall bear such dates, mature at such times not
20 exceeding ~~30~~ 50 years from their respective dates of issue, bear interest at such rates,
21 be payable at such times, be in such denominations, be in such form, either coupon
22 or fully registered, carry such registration and conversion privileges, be executed in
23 such manner, be payable in lawful money of the United States at such places, and
24 be subject to such terms of redemption as the bond resolution provides. The bonds
25 or notes shall be executed by the manual or facsimile signatures of such officers of

ASSEMBLY BILL 508

1 the authority as the authority designates. Coupon bonds shall have attached thereto
2 interest coupons bearing the facsimile signature of the treasurer of the authority or
3 such other officer as the authority designates. The bonds or notes may be sold at
4 public or private sale for such price and in such manner and from time to time as the
5 authority determines. Pending preparation of the definitive bonds, the authority
6 may issue interim receipts or certificates which shall be exchanged for the definitive
7 bonds.

8 SECTION 40. 231.08 (5) of the statutes is amended to read:

9 231.08 (5) In addition to the other authorizations under this section, bonds of
10 the authority may be secured by a pooling of leases whereby the authority may assign
11 its rights, as lessor, and pledge rents under 2 or more leases of health facilities,
12 educational facilities, research facilities, or ~~child-care centers~~ nonprofit facilities
13 with 2 or more participating health institutions, participating educational
14 institutions, participating research institutions, or ~~child-care providers~~
15 participating nonprofit institutions, as lessees respectively, upon such terms as may
16 be provided for in bond resolutions of the authority.

17 SECTION 41. 231.10 (1) of the statutes is amended to read:

18 231.10 (1) The state is not liable on notes or bonds of the authority and the notes
19 and bonds are not a debt of the state. All notes and bonds of the authority shall
20 contain on the face thereof a statement to this effect. The issuance of bonds under
21 this chapter shall not, directly or indirectly or contingently, obligate the state or any
22 political subdivision thereof to levy any form of taxation therefor or to make any
23 appropriation for their payment. Nothing in this section prevents the authority from
24 pledging its full faith and credit or the full faith and credit of a health institution,

INS
AAI-6

INS.
AAI-6

1 educational institution, research institution, or child care provider nonprofit

2 institution to the payment of bonds authorized under this chapter.

3 SECTION 42. 231.12 of the statutes is amended to read:

4 **231.12 Studies and recommendations.** It is the intent and purpose of this
5 chapter that the exercise by the authority of the powers granted to it shall be in all
6 respects for the benefit of the people of this state to assist them to provide needed
7 health facilities, educational facilities, research facilities, and ~~child care centers~~
8 nonprofit facilities of the number, size, type, distribution, and operation that will
9 assure admission and health care, education, research opportunities, or ~~child care~~
10 of high quality other necessary services to all who need it. The authority shall
11 identify and study all projects which are determined by health planning agencies to
12 be needed, but which could not sustain a loan were such to be made to it under this
13 chapter. The authority shall formulate and recommend to the legislature such
14 amendments to this and other laws, and such other specific measures as grants, loan
15 guarantees, interest subsidies, or other actions the state may provide which would
16 render the construction and operation of needed health facilities, educational
17 facilities, research facilities, and ~~child care centers~~ nonprofit facilities feasible and
18 in the public interest. The authority also shall identify and study any laws or rules
19 which it finds handicaps or bars a needed health facility, educational facility,
20 research facility, or ~~child care center~~ nonprofit facility from participating in the
21 benefits of this chapter, and recommend to the legislature such actions as will
22 remedy such situation. INS AAI-63

23 SECTION 43. 231.13 (1) (intro.) of the statutes is amended to read:

24 231.13 (1) (intro.) The authority shall collect rents for the use of, or other
25 revenues relating to the financing of, each project. The authority shall contract with

ASSEMBLY BILL 508

1 a participating health institution, participating educational institution,
 2 participating research institution, or participating ~~child care provider~~ nonprofit
 3 institution for each issuance of bonds. The contract shall provide that the rents or
 4 other revenues payable by the health facility, educational facility, research facility,
 5 or ~~child care center~~ nonprofit facility shall be sufficient at all times to:

INS AA 1-6

6 SECTION 44. 231.13 (2) of the statutes is amended to read:

7 231.13 (2) The authority shall pledge the revenues derived and to be derived

8 from a project and other related health facilities, educational facilities, research
 9 facilities, or ~~child care centers~~ nonprofit facilities for the purposes specified in sub.

INS AA 1-6

INS AA 1-66

10 (1), and additional bonds may be issued which may rank on a parity with other bonds
 11 relating to the project to the extent and on the terms and conditions provided in the
 12 bond resolution. Such pledge shall be valid and binding from the time when the
 13 pledge is made, the revenues so pledged by the authority shall immediately be
 14 subject to the lien of such pledge without any physical delivery thereof or further act
 15 and the lien of any such pledge shall be valid and binding as against all parties
 16 having claims of any kind in tort, contract, or otherwise against the authority,
 17 irrespective of whether such parties have notice thereof. Neither the bond resolution
 18 nor any financing statement, continuation statement, or other instrument by which
 19 a pledge is created or by which the authority's interest in revenues is assigned need
 20 be filed or recorded in any public records in order to perfect the lien thereof as against
 21 3rd parties, except that a copy thereof shall be filed in the records of the authority
 22 and with the department of financial institutions.

23 SECTION 45. 231.16 (1) of the statutes is amended to read:

24 231.16 (1) The authority may issue bonds to refund any outstanding bond of
 25 the authority or indebtedness that a participating health institution, participating

ASSEMBLY BILL 508

SECTION 45

INS. AAI-67

INS. AAI-68

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educational institution, participating research institution, or participating child

care provider nonprofit institution may have incurred for the construction or

3 acquisition of a project prior to or after April 30, 1980, including the payment of any

4 redemption premium on the outstanding bond or indebtedness and any interest

5 accrued or to accrue to the earliest or any subsequent date of redemption, purchase,

6 or maturity, or to pay all or any part of the cost of constructing and acquiring

7 additions, improvements, extensions, or enlargements of a project or any portion of

8 a project. Except for bonds to refund bonds issued under s. 231.03 (6) (g), no bonds

9 may be issued under this section unless the authority has first entered into a new

10 or amended agreement with a participating health institution, participating

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educational institution, participating research institution, or participating child

INS. AAI-70

INS AAI-71

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care provider nonprofit institution to provide sufficient revenues to pay the costs and

13 other items described in s. 231.13.

SECTION 46. 231.16 (3) of the statutes is amended to read:

231.16 (3) All bonds issued under this section shall be subject to this chapter
in the same manner and to the same extent as other bonds issued pursuant to this
chapter, except that the limitations with respect to dates under s. 231.03 (6) (e) and
(f), 1999 stats., and under s. 231.03 (14) do not apply to bonds issued under this
section, and the requirement under s. 231.08 (3) that the bonds mature in 30 50 years
or less from their date of issue does not apply to bonds issued under this section to
refund bonds issued under s. 231.03 (6) (g).

SECTION 47. 231.20 of the statutes, as affected by 2011 Wisconsin Act 32, is
amended to read:

231.20 Waiver of construction and bidding requirements. In exercising
its powers under s. 101.12, the department of safety and professional services or any

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1 city, village, town, or county may, within its discretion for proper cause shown, waive
 2 any particular requirements relating to public buildings, structures, grounds,
 3 works, and improvements imposed by law upon projects under this chapter; the
 4 requirements of s. 101.13 may not be waived, however. If, however, the prospective
 5 lessee so requests in writing, the authority shall, through the participating health
 6 institution, participating educational institution, ^{INS. AAI-73} participating research institution,
 7 ~~or participating child care provider nonprofit institution~~ as its agent, call for
 8 construction bids in such manner as is determined by the authority with the approval
 9 of the lessee.

INS
AAI-74

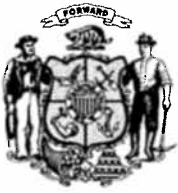
INS.
AAI-75

10 SECTION 48. 231.23 of the statutes is amended to read:

11 **231.23 Nonprofit institutions.** It is intended that all nonprofit health
 12 ~~institutions, educational institutions, research institutions, and child care providers~~
 13 entities in this state be enabled to benefit from and participate in this chapter. To
 14 this end, all nonprofit health ~~institutions, educational institutions, research~~
 15 ~~institutions, and child care providers entities~~ operating, or authorized to be
 16 operated, under any law of this state may undertake projects and utilize the capital
 17 financing sources and methods of repayment provided by this chapter, the provisions
 18 of any other laws to the contrary notwithstanding.

19 (END)

INS. AAI-76



State of Wisconsin
2011-2012 LEGISLATURE

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 508**

Prepared by the Legislative Reference Bureau
(March 19, 2012)

In enrolling, the following corrections were made:

1. Page 10, line 3: delete "provider" and substitute "providers".
2. Page 11, line 7: delete the material beginning with "be provided" and ending with "authority." on line 8.

NOTE: Deletes duplicated material from substituted text.

(END)



ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 508

February 29, 2012 - Offered by COMMITTEE ON JOBS, ECONOMY AND SMALL BUSINESS.

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

2 1. Page 1, line 10: delete lines 10 and 11 and substitute "miscellaneous
3 changes for bonds issued by the Wisconsin Health and Educational Facilities
4 Authority".

AA1-1

5 2. Page 2, line 1: ~~before~~ that line insert:

6 "SECTION 1e. 66.0304 (1) (f) of the statutes, as affected by 2011 Wisconsin Act
7 32, is amended to read:

8 66.0304 (1) (f) "Political subdivision" means any city, village, town, or county
9 in this state or any city, village, town, county, district, ~~office, department,~~ authority,
10 agency, commission, or other similar governmental entity in another state or office,
11 department, authority, or agency of any such other state or territory of the United
12 States.

AA1-2

13 3. Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1m".

AA1-3

- 1 **4.** Page 3, line 8: after "educational institution," insert "or". AA1-4
- 2 ✓ **5.** Page 3, line 9: delete that line and substitute "institution, or participating AA1-5
- 3 ~~child care provider, as approved by~~".
- 4 ✓ **6.** Page 3, line 12: after "educational institution," insert "or". AA1-6
- 5 ✓ **7.** Page 3, line 13: delete that line and substitute "research institution, or AA1-7
- 6 ~~participating child care provider for the~~".
- 7 ✓ **8.** Page 3, line 17: after "educational institution," insert "or". AA1-8
- 8 ✓ **9.** Page 3, line 17: delete "research institution," and substitute "research AA1-9
- 9 ~~institution,~~".
- 10 ✓ **10.** Page 3, line 18: delete that line and substitute "or participating child care AA1-10
- 11 ~~provider of all necessary~~".
- 12 ✓ **11.** Page 4, line 2: after "educational institution," insert "or". AA1-11
- 13 ✓ **12.** Page 4, line 3: delete that line and substitute "institution, or participating AA1-12
- 14 ~~child care provider in the course of~~".
- 15 ✓ **13.** Page 4, line 12: after "educational institution," insert "or". AA1-13
- 16 ✓ **14.** Page 4, line 13: delete that line and substitute "institution, or AA1-14
- 17 ~~participating child care provider on and after the~~".
- 18 ✓ **15.** Page 4, line 15: delete that line and substitute "educational institution, AA1-15
- 19 ~~or participating research institution, or participating child~~".
- 20 ✓ **16.** Page 4, line 16: delete "nonprofit institution".
- 21 ✓ **17.** Page 4, line 23: delete that line.
- 22 ✓ **18.** Page 5, line 1: delete lines 1 to 22.

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✓ 19. Page 5, line 24: after "educational facility," insert "or".

AA1-19

AA1-20

✓ 20. Page 5, line 24: delete "research facility," and substitute "research facility".

AA1-21

✓ 21. Page 5, line 25: delete "or child" and substitute "or child".

✓ 22. Page 5, line 25: delete "nonprofit facility".

✓ 23. Page 6, line 5: delete "nonprofit facility".

AA1-24

✓ 24. Page 6, line 12: delete that line and substitute "educational facility, or research facility, or child care center, including".

AA1-25

✓ 25. Page 6, line 14: delete that line and substitute "conduct of the health facility, educational facility, or research facility, or child care".

✓ 26. Page 6, line 15: delete "nonprofit facility".

AA1-27

✓ 27. Page 6, line 20: after "educational institution," insert "or".

AA1-28

✓ 28. Page 6, line 20: delete "research institution," and substitute "research institution".

AA1-29

✓ 29. Page 6, line 21: delete that line and substitute "or participating child care provider with one or more other".

✓ 30. Page 6, line 23: delete the material beginning with "participating research" and ending with "institutions" on line 24 and substitute "or participating research institutions, or participating child care providers".

AA1-30

✓ 31. Page 7, line 1: delete lines 1 to 25 and substitute:

AA1-31

"231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict of interest or violation of this section or of any other law for a trustee, director, officer, or employee of a participating health institution, participating educational

1 institution, or participating research institution, ~~or participating child care provider~~
2 or for a person having the required favorable reputation for skill, knowledge, and
3 experience in state and municipal finance or for a person having the required
4 favorable reputation for skill, knowledge, and experience in the field of health
5 facility, educational facility, or research facility, ~~or child care center~~ architecture to
6 serve as a member of the authority; if in each case to which par. (a) is applicable, the
7 trustee, director, officer, or employee of the participating health institution,
8 participating educational institution, or participating research institution, ~~or~~
9 ~~participating child care provider~~ abstains from discussion, deliberation, action, and
10 vote by the authority in specific respect to any undertaking pursuant to this chapter
11 in which his or her participating health institution, participating educational
12 institution, or participating research institution, ~~or participating child care provider~~
13 has an interest, or the person having the required favorable reputation for skill,
14 knowledge, and experience in state and municipal finance abstains from discussion,
15 deliberation, action, and vote by the authority in specific respect to any sale,
16 purchase, or ownership of bonds of the authority in which any business of which such
17 person is a participant, owner, officer, or employee has a past, current, or future
18 interest, or such person having the required favorable reputation for skill,
19 knowledge, and experience in the field of health facility, educational facility, or
20 research facility, ~~or child care center~~ architecture abstains from discussion,
21 deliberation, action, and vote by the authority in specific respect to construction or
22 acquisition of.

23 ✓ **32.** Page 8, line 4: delete lines 4 to 20 and substitute:

AA1-32

1 "231.03 (5) Determine the location and character of any project to be financed
 2 under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add
 3 to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any
 4 such purpose, enter into contracts for the management and operation of a project or
 5 other health facilities, educational facilities, or research facilities, ~~or child care~~
 6 ~~centers~~ owned by the authority, and designate a participating health institution,
 7 participating educational institution, or participating research institution, ~~or~~
 8 ~~participating child care provider~~ as its agent to determine the location and character
 9 of a project undertaken by the participating health institution, participating
 10 educational institution, or participating research institution, ~~or participating child~~
 11 ~~care provider~~ under this chapter and as the agent of the authority, to construct,
 12 reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease
 13 as lessee or lessor and regulate the same, and as the agent of the authority, to enter
 14 into contracts for any such purpose, including contracts for the management and
 15 operation of such project or other health facilities, educational facilities, or research
 16 facilities, ~~or child care centers~~ owned by the authority".

17 ✓ **33.** Page 9, line 13: delete lines 13 to 18.

18 ✓ **34.** Page 9, line 22: after "educational facilities," insert "or".

19 ✓ **35.** Page 9, line 22: delete "facilities, or" and substitute "facilities, or".

20 ✓ **36.** Page 9, line 23: delete "nonprofit facilities".

21 ✓ **37.** Page 10, line 2: delete that line and substitute "or research facility, or child
 22 care center rate setting mechanisms".

23 ✓ **38.** Page 10, line 4: delete lines 4 to 18 and substitute:

AA1-34

AA1-35

AA1-37

1 “231.03 (8) Adopt rules for the use of a project or other health facility,
2 educational facility, or research facility, ~~or child care center~~ or any portion of the
3 project or facility owned, financed, or refinanced in whole or in part by the authority,
4 including any property used as security for a loan secured through, from, or with the
5 assistance of the authority. The authority may designate a participating health
6 institution, participating educational institution, or participating research
7 institution, ~~or participating child care provider~~ as its agent to establish rules for the
8 use of a project or other health facilities, educational facilities, or research facilities,
9 ~~or child care centers~~ undertaken for that participating health institution,
10 participating educational institution, or participating research institution, ~~or~~
11 ~~participating child care provider~~. The rules shall ensure that a project, health
12 facility, educational facility, research facility, ~~child care center~~, or property may not
13 be used primarily for sectarian instruction or study or as a place for devotional
14 activities or religious worship.”.

15 **39.** Page 10, line 20: delete the material beginning with that line and ending
16 with “containment.” on page 11, line 7, and substitute:

AA1-39

17 “231.03 (11) Establish or contract with others to carry out on its behalf a health
18 facility, educational facility, or research facility, ~~or child care center~~ project cost
19 estimating service, and make this service available on all projects to provide expert
20 cost estimates and guidance to the participating health institution, participating
21 educational institution, or participating research institution, ~~or participating child~~
22 ~~care provider~~ and to the authority. To implement this service and, through it, to
23 contribute to cost containment, the authority may require such reasonable reports
24 and documents from health facility, educational facility, or research facility, ~~or child~~

1 ~~care center~~ projects as are required for this service and for the development of cost
2 reports and guidelines. The authority shall appoint a technical committee on health
3 facility, educational facility, or research facility, ~~or child care center~~ project costs and
4 cost containment.

5 ✓ **40.** Page 11, line 9: delete lines 9 to 22 and substitute:

6 "231.03 (13) Make loans to any participating health institution, participating
7 educational institution, or participating research institution, ~~or, before May 1, 2000,~~
8 ~~participating child care provider~~ for the cost of a project in accordance with an
9 agreement between the authority and the participating health institution,
10 participating educational institution, or participating research institution, ~~or~~
11 ~~participating child care provider~~. The authority may secure the loan by a mortgage
12 or other security arrangement on the health facility, educational facility, or research
13 facility, ~~or child care center~~ granted by the participating health institution,
14 participating educational institution, or participating research institution, ~~or~~
15 ~~participating child care provider~~ to the authority. The loan may not exceed the total
16 cost of the project as determined by the participating health institution,
17 participating educational institution, or participating research institution, ~~or~~
18 ~~participating child care provider~~ and approved by the authority".

19 **41.** Page 11, line 24: delete the material beginning with that line and ending
20 with "authority." on page 12, line 8, and substitute:

21 "231.03 (14) Make loans to a health facility, educational facility, or research
22 facility, ~~or, before May 1, 2000, child care center~~ for which bonds may be issued under
23 sub. (6) (b) ~~or, (d), or under s. 231.03 (6) (f), 1999 stats. (i),~~ to refinance the health
24 facility's, educational facility's, or research facility's, ~~or child care center's~~

AA1-40

AA1-41

1 outstanding debt. The authority may secure the loan or bond by a mortgage or other
2 security arrangement on the health facility, educational facility, or research facility,
3 ~~or child care center~~ granted by the participating health institution, participating
4 educational institution, or participating research institution, ~~or participating child~~
5 ~~care provider~~ to the authority”.

6 ✓ **42.** Page 12, line 10: delete lines 10 to 18 and substitute:

AA1-42

7 “231.03 (15) Mortgage all or any portion of a project and other health facilities,
8 educational facilities, or research facilities, ~~or child care centers~~ and the site thereof,
9 whether owned or thereafter acquired, for the benefit of the holders of bonds issued
10 to finance the project, health facilities, educational facilities, or research facilities,
11 ~~or child care centers~~ or any portion thereof or issued to refund or refinance
12 outstanding indebtedness of participating health institutions, educational
13 institutions, or research institutions, ~~or child care providers~~ as permitted by this
14 chapter”.

15 ✓ **43.** Page 12, line 20: delete the material beginning with that line and ending
16 with “consideration.” on page 13, line 14, and substitute:

AA1-43

17 “231.03 (16) Lease to a participating health institution, participating
18 educational institution, or participating research institution, ~~or participating child~~
19 ~~care provider~~ the project being financed or other health facilities, educational
20 facilities, or research facilities, ~~or child care centers~~ conveyed to the authority in
21 connection with such financing, upon such terms and conditions as the authority
22 deems proper, and charge and collect rents therefor, and terminate any such lease
23 upon the failure of the lessee to comply with any of the obligations thereof; and
24 include in any such lease, if desired, provisions that the lessee thereof shall have

1 options to renew the term of the lease for such periods and at such rent as the
 2 authority determines or to purchase all or any part of the health facilities,
 3 educational facilities, or research facilities, ~~or child care centers~~ or that, upon
 4 payment of all of the indebtedness incurred by the authority for the financing of such
 5 project or health facilities, educational facilities, or research facilities, ~~or child care~~
 6 ~~centers~~ or for refunding outstanding indebtedness of a participating health
 7 institution, participating educational institution, or participating research
 8 institution, ~~or participating child care provider~~, the authority may convey all or any
 9 part of the project or such other health facilities, educational facilities, or research
 10 facilities, ~~or child care centers~~ to the lessees thereof with or without consideration.”.

11 ✓ 44. Page 13, line 17: after “educational institutions,” insert “and”.

AA1-44

12 ✓ 45. Page 13, line 17: delete “institutions, and” and substitute “institutions,
 13 and”.

AA1-45

14 ✓ 46. Page 13, line 18: delete “participating child care providers nonprofit
 15 institutions” and substitute “participating child care providers”.

AA1-46

AA1-47

16 ✓ 47. Page 13, line 22: delete that line and substitute “and research facilities,
 17 and child care centers that could not sustain”.

AA1-48

18 ✓ 48. Page 14, line 1: delete that line and substitute “facilities, educational
 19 facilities, and research facilities, and child care centers”.

20 ✓ 49. Page 14, line 2: delete “facilities”.

AA1-50

21 ✓ 50. Page 14, line 12: after “educational institution,” insert “or”.

22 ✓ 51. Page 14, line 13: delete that line and substitute “research institution, or
 23 participating child care provider, and”.

INS. AA1-51

AA1-52

AA1-53

1 ✓ 52. Page 15, line 1: after "educational institutions," insert "and".

2 ✓ 53. Page 15, line 2: delete that line and substitute "institutions, and
3 ~~participating child care provider in an~~". *providers & ccc*

AA1-54

4 ✓ 54. Page 15, line 6: delete lines 6 to 12 and substitute:

5 "231.05 (1) By means of this chapter, it is the intent of the legislature to provide
6 assistance and alternative methods of financing to nonprofit health institutions to
7 aid them in providing needed health services consistent with the state's health plan,
8 to nonprofit educational institutions to aid them in providing needed educational
9 services, and to nonprofit research institutions to aid them in providing needed
10 research facilities, ~~and to nonprofit child care providers to aid them in providing~~
11 ~~needed child care services~~".

AA1-55

12 ✓ 55. Page 15, line 17: delete that line and substitute "or participating research
13 ~~institution, or participating child care provider~~".

AA1-57

14 ✓ 56. Page 15, line 18: delete "institution".

15 ✓ 57. Page 15, line 24: delete that line and substitute "facility, educational
16 ~~facility, or research facility, or child care center~~".

AA1-58

17 58. Page 16, line 2: delete lines 2 to 7 and substitute:

18 "231.07 (1) (b) Convey to the participating health institution, participating
19 educational institution, or participating research institution, ~~or participating child~~
20 ~~care provider~~ the authority's interest in the project and in any other health facility,
21 educational facility, or research facility, ~~or child care center~~ leased, mortgaged, or
22 subject to a deed of trust or any other form of security arrangement to secure the
23 bond".

AA1-59

1 ✓ **59.** Page 16, line 12: delete the material beginning with that line and ending
2 with "institutions," on line 13 and substitute "or participating research institutions,
3 or participating child care providers."

AA1-60

4 ✓ **60.** Page 17, line 12: delete lines 12 to 15 and substitute "educational facilities,
5 or research facilities, or child care centers with 2 or more health institutions,
6 educational institutions, or research institutions, or child care providers, as lessees
7 respectively, upon such terms as may be provided for in bond resolutions of the
8 authority."

AA1-61

9 ✓ **61.** Page 18, line 1: delete that line and substitute "educational institution,
10 or research institution, or child care provider."

11 ✓ **62.** Page 18, line 2: delete "institution".

AA1-63

12 ✓ **63.** Page 18, line 4: delete lines 4 to 22 and substitute:

13 **231.12 Studies and recommendations.** It is the intent and purpose of this
14 chapter that the exercise by the authority of the powers granted to it shall be in all
15 respects for the benefit of the people of this state to assist them to provide needed
16 health facilities, educational facilities, and research facilities, and child care centers
17 of the number, size, type, distribution, and operation that will assure admission and
18 health care, education, or research opportunities, or child care of high quality to all
19 who need it. The authority shall identify and study all projects which are determined
20 by health planning agencies to be needed, but which could not sustain a loan were
21 such to be made to it under this chapter. The authority shall formulate and
22 recommend to the legislature such amendments to this and other laws, and such
23 other specific measures as grants, loan guarantees, interest subsidies, or other
24 actions the state may provide which would render the construction and operation of

1 needed health facilities, educational facilities, and research facilities, ~~and child care~~
 2 ~~centers~~ feasible and in the public interest. The authority also shall identify and
 3 study any laws or rules which it finds handicaps or bars a needed health facility,
 4 educational facility, or research facility, ~~or child care center~~ from participating in the
 5 benefits of this chapter, and recommend to the legislature such actions as will
 6 remedy such situation.”

AAI-64

7 ✓ **64.** Page 19, line 2: delete lines 2 to 5 and substitute or participating research
 8 ~~institution, or participating child care provider~~ for each issuance of bonds. The
 9 contract shall provide that the rents or other revenues payable by the health facility,
 10 educational facility, or research facility, ~~or child care center~~ shall be sufficient at all
 11 times to.”

AAI-65

12 ✓ **65.** Page 19, line 8: after “educational facilities,” insert or.”

13 ✓ **66.** Page 19, line 9: delete “facilities, or child care centers nonprofit facilities”
 14 and substitute facilities, or child care centers.”

AAI-66

AAI-67

15 ✓ **67.** Page 20, line 1: after “educational institution,” insert or.”

16 ✓ **68.** Page 20, line 1: delete “institution, or participating child” and substitute
 17 institution, or participating child.”

AAI-68

18 ✓ **69.** Page 20, line 2: delete nonprofit institution.”

AAI-70

19 ✓ **70.** Page 20, line 11: after “educational institution,” insert or.”

20 ✓ **71.** Page 20, line 11: delete “institution, or participating child” and substitute
 21 institution, or participating child.”

AAI-71

22 ✓ **72.** Page 20, line 12: delete nonprofit institution.”

AAI-73

23 ✓ **73.** Page 21, line 6: after “educational institution,” insert or.”

AAI-74

1 ✓ 74. Page 21, line 6: delete "research institution," and substitute "research
2 institution,".

AAI-75

3 ✓ 75. Page 21, line 7: delete that line and substitute "or participating child care
4 provider as its agent, call for".

AAI-76

5 76. Page 21, line 11: delete lines 11 to 15 and substitute:

6 "231.23 Nonprofit institutions. It is intended that all nonprofit health
7 institutions, educational institutions, and research institutions, ~~and child care~~
8 ~~providers~~ in this state be enabled to benefit from and participate in this chapter. To
9 this end, all nonprofit health institutions, educational institutions, and research
10 institutions, ~~and child care providers~~ operating, or authorized to be".

11

(END)