

1 84.01 (11m) (a) The department shall coordinate any economic development
2 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
3 Wisconsin Development Authority.

4 **SECTION 331.** 84.01 (11m) (b) of the statutes is amended to read:

5 84.01 (11m) (b) Annually, no later than October 1, the department shall submit
6 to the joint legislative audit committee and to the appropriate standing committees
7 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
8 development programs, as defined in sub. (6m) (a), administered by the department.
9 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
10 The department shall collaborate with the ~~Wisconsin Economic Development~~
11 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
12 to the public on an Internet-based system the information required under this
13 subsection.

14 **SECTION 332.** 85.25 (2) (a) of the statutes is amended to read:

15 85.25 (2) (a) “Business development organization” means the Forward
16 ~~Wisconsin Housing and Economic Development Authority~~ created under s. ~~234.02~~
17 235.011 or any private organization that prepares business and loan plans for and
18 provides other financial, management, and technical assistance to disadvantaged
19 businesses.

20 **SECTION 333.** 93.07 (3) of the statutes is amended to read:

21 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
22 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
23 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
24 campaigns of education throughout the United States and in foreign markets. Such
25 campaigns shall include the distribution of educational and advertising material

1 concerning Wisconsin and its plant, animal, food, and dairy products. The
2 department shall coordinate efforts by the state to advertise and promote
3 agricultural products of this state, with the ~~Wisconsin Economic Development~~
4 ~~Corporation~~ Forward Wisconsin Development Authority where appropriate. The
5 department shall submit its request and plan for market development program
6 expenditures for each biennium with its biennial budget request. The plan shall
7 include the identification and priority of expenditures for each market development
8 program activity.

9 **SECTION 334.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

10 93.07 (18) (b) (intro.) In consultation with the ~~Wisconsin Economic~~
11 ~~Development Corporation~~ Forward Wisconsin Development Authority, to do all of
12 the following for each economic development program administered by the
13 department of agriculture, trade and consumer protection:

14 **SECTION 335.** 93.07 (20) (a) of the statutes is amended to read:

15 93.07 (20) (a) The department shall coordinate any economic development
16 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
17 Wisconsin Development Authority.

18 **SECTION 336.** 93.07 (20) (b) of the statutes is amended to read:

19 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
20 legislative audit committee and to the appropriate standing committees of the
21 legislature under s. 13.172 (3) a comprehensive report assessing economic
22 development programs, as defined in sub. (18) (a), administered by the department.
23 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
24 The department shall collaborate with the ~~Wisconsin Economic Development~~
25 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible

1 to the public on an Internet-based system the information required under this
2 subsection.

3 **SECTION 337.** 93.33 (5) (intro.) of the statutes is amended to read:

4 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
5 submit a report to the appropriate standing committees of the legislature as
6 determined by the speaker of the assembly and the president of the senate, under s.
7 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
8 the state superintendent of public instruction, the secretary of workforce
9 development, the secretary of natural resources, the chief executive officer of the
10 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
11 Authority, the president of the University of Wisconsin System, the director of the
12 technical college system, the chancellor of the University of Wisconsin–Extension,
13 the chancellor of the University of Wisconsin–Madison, the chancellor of the
14 University of Wisconsin–Platteville, the chancellor of the University of
15 Wisconsin–River Falls, and the chancellor of the University of Wisconsin–Stevens
16 Point. The council shall include all of the following in the report:

17 **SECTION 338.** 93.42 (5) of the statutes is amended to read:

18 93.42 (5) Cooperating with the ~~Wisconsin Economic Development Corporation~~
19 Forward Wisconsin Development Authority in promoting the state's products
20 through the state's foreign trade offices.

21 **SECTION 339.** 100.45 (1) (dm) of the statutes is amended to read:

22 100.45 (1) (dm) "State agency" means any office, department, agency,
23 institution of higher education, association, society, or other body in state
24 government created or authorized to be created by the constitution or any law which
25 is entitled to expend moneys appropriated by law, including the legislature and the

1 courts, ~~the Wisconsin Housing and Economic Development Authority~~, the Bradley
2 Center Sports and Entertainment Corporation, the University of Wisconsin
3 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
4 Authority, the Wisconsin Aerospace Authority, the ~~Wisconsin Economic~~
5 ~~Development Corporation~~ Forward Wisconsin Development Authority, and the Fox
6 River Navigational System Authority.

9-101 insert - 6

7 SECTION 340. 106.16 (3) of the statutes is repealed.

8 SECTION 341. 106.27 (2m) of the statutes is amended to read:

9 106.27 (2m) CONSULTATION. The department shall consult with the technical
10 college system board and the ~~Wisconsin Economic Development Corporation~~
11 Forward Wisconsin Development Authority in implementing this section.

12 SECTION 342. 109.09 (2) (c) 1. a. of the statutes is amended to read:

13 109.09 (2) (c) 1. a. "Commercial lending institution" has the meaning given for
14 "financial institution" in s. ~~234.01~~ 235.40 (5k).

15 SECTION 343. 114.31 (6) of the statutes is amended to read:

16 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
17 as is reasonably possible, offer the engineering or other technical service of the
18 department, to any municipality desiring them in connection with the construction,
19 maintenance or operation or proposed construction, maintenance or operation of an
20 airport. The secretary may assess reasonable costs for services including services
21 performed while acting as agent for a municipality. Such assessment shall include
22 properly allocated administrative costs. Municipalities are authorized to cooperate
23 with the secretary in the development of aeronautics and aeronautical facilities in
24 this state. The ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
25 Development Authority and all agencies are authorized and directed to make

1 available such facilities and services, and to cooperate as far as possible to promote
2 the best interests of aeronautics of the state.

3 **SECTION 344.** 196.49 (4) of the statutes is amended to read:

4 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
5 for the construction of electric generating equipment and associated facilities unless
6 the commission determines that brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or
7 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

8 **SECTION 345.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

9 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
10 the facility that are contiguous or proximate, provided that at least one of the
11 proposed sites is a brownfield, as defined in s. ~~238.13~~ 235.13 (1) (a), or the site of a
12 former or existing large electric generating facility.

13 **SECTION 346.** 196.491 (3) (d) 8. of the statutes is amended to read:

14 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
15 in s. ~~238.13~~ 235.13 (1) (a), are used to the extent practicable.

16 **SECTION 347.** 224.71 (1br) (intro.) of the statutes is amended to read:

17 224.71 (1br) (intro.) “Bona fide nonprofit organization” means an organization
18 that is described in section 501 (c) (3) of the Internal Revenue Code and exempt from
19 federal income tax under section 501 (a) of the Internal Revenue Code, that is
20 certified by the federal department of housing and urban development or the
21 Forward Wisconsin Housing and Economic Development Authority, and that does all
22 of the following:

23 **SECTION 348.** 230.03 (3) of the statutes, as affected by 2013 Wisconsin Act 20,
24 is amended to read:

1 **SECTION 355.** 234.01 (3m) of the statutes is renumbered 235.40 (3m) and
2 amended to read:

3 235.40 (3m) “Collateral” means a 3rd-party note, mortgage, guaranty,
4 insurance policy, bond, letter of credit, security agreement, or other instrument
5 securing the repayment of ~~an economic development loan or~~ a mortgage loan.

6 **SECTION 356.** 234.01 (4) of the statutes is renumbered 235.40 (4).

7 **SECTION 357.** 234.01 (4m) of the statutes is repealed.

8 **SECTION 358.** 234.01 (4n) of the statutes is repealed.

9 **SECTION 359.** 234.01 (5) of the statutes is renumbered 235.40 (5).

10 **SECTION 360.** 234.01 (5k) of the statutes is renumbered 235.40 (5k).

11 **SECTION 361.** 234.01 (5m) of the statutes is renumbered 235.40 (5m) and
12 amended to read:

13 235.40 (5m) “Homeownership mortgage loan” has the meaning given under s.
14 ~~234.59~~ 235.59 (1) (f).

15 **SECTION 362.** 234.01 (6) of the statutes is renumbered 235.40 (6), and 235.40
16 (6) (a) and (b), as renumbered, are amended to read:

17 235.40 (6) (a) If the corporation receives any loan or advance from the authority
18 under this ~~chapter~~ subchapter, it may enter into an agreement with the authority
19 providing for regulation with respect to rents, profits, dividends, and disposition of
20 property or franchises; ~~and~~.

21 (b) If the corporation receives a loan or advance under this ~~chapter~~ subchapter,
22 the chairperson of the board of the authority, or his or her designee, acting with the
23 prior approval of the ~~majority of the members of the authority~~ board, may, if he or
24 she determines that any such loan or advance is in jeopardy of not being repaid, that
25 the proposed development for which such loan or advance was made is in jeopardy

1 of not being constructed, or that the corporation is not carrying out the intent and
2 purposes of this ~~chapter~~ subchapter, appoint to the board of directors of such
3 corporation a number of new directors, which number shall be sufficient to constitute
4 a majority of such that board of directors, notwithstanding any other provision of
5 such articles of incorporation or of any other provision of law.

6 **SECTION 363.** 234.01 (7) of the statutes is renumbered 235.40 (7).

7 **SECTION 364.** 234.01 (7m) of the statutes is renumbered 235.40 (7m) and
8 amended to read:

9 235.40 (7m) “Housing rehabilitation loan” means a low interest housing
10 rehabilitation loan as defined in s. ~~234.49~~ 235.49 (1) (f) and (fm).

11 **SECTION 365.** 234.01 (8) of the statutes is renumbered 235.40 (8), and 235.40
12 (8) (a) and (b), as renumbered, are amended to read:

13 235.40 (8) (a) As a condition of acceptance of a loan or advance under this
14 ~~chapter~~ subchapter, the limited–profit entity shall enter into an agreement with the
15 authority providing for limitations of rents, profits, dividends, and disposition of
16 property or franchises; ~~and~~.

17 (b) If the limited–profit entity receives a loan or advance under this ~~chapter~~
18 subchapter, the chairperson of the board of directors of the authority, or his or her
19 designee, acting with the prior approval of the ~~majority of members of the authority~~
20 board, may, if he or she determines that any such loan or advance is in jeopardy of
21 not being repaid, that the proposed development for which such loan or advance was
22 made is in jeopardy of not being constructed, or that the limited–profit entity is
23 otherwise not carrying out the intent and purposes of this ~~chapter~~ subchapter,
24 appoint to the board of directors or other comparable controlling body of such
25 limited–profit entity a number of new directors or persons, which number shall be

1 sufficient to constitute a voting majority of such board or controlling body,
2 notwithstanding any other provisions of the limited-profit entity's articles of
3 incorporation or other documents of organization, or of any other provisions of law.

4 **SECTION 366.** 234.01 (9) of the statutes is renumbered 235.40 (9), and 235.40
5 (9) (a) 5., as renumbered, is amended to read:

6 235.40 (9) (a) 5. That if the corporation receives a loan or advance under this
7 ~~chapter subchapter~~, the chairperson of the board of directors of the authority, or his
8 or her designee, acting with the prior approval of the ~~majority of the members of the~~
9 authority board, may, on determination that any such loan or advance is in jeopardy
10 of not being repaid, that the proposed development for which such loan or advance
11 was made is in jeopardy of not being constructed, that some part of the net income
12 or net earnings of the corporation is inuring to the benefit of any private person, that
13 the corporation is in some manner controlled or under the direction of or acting in
14 the substantial interest of any private person seeking to derive benefit or gain
15 therefrom or seeking to eliminate or minimize losses in any dealings or transactions
16 therewith, or that the corporation is not carrying out the intent and purposes of this
17 ~~chapter subchapter~~, appoint to the board of directors of such corporation a number
18 of new directors, which number shall be sufficient to constitute a majority of such
19 board, notwithstanding any other provisions of such articles of incorporation or of
20 any other provisions of law.

21 **SECTION 367.** 234.01 (10) of the statutes is renumbered 235.40 (10) and
22 amended to read:

23 235.40 (10) "Persons and families of low and moderate income" means persons
24 and families who cannot afford to pay the amounts at which private enterprise,
25 without ~~federally-aided~~ federally aided mortgages or loans from the authority, can

1 provide a substantial supply of decent, safe and sanitary housing and who fall within
2 income limitations set by the authority in its rules policies and procedures. In
3 determining such income limitations the authority shall consider the amounts of the
4 total income of such persons available for housing needs, the size of the family, the
5 cost and condition of available housing facilities, standards established for various
6 federal programs, and any other factors determined by the authority to be
7 appropriate in arriving at such limitations. Among low- or moderate-income
8 persons and families, preference shall be given to those displaced by governmental
9 action.

10 **SECTION 368.** 234.02 of the statutes is repealed.

11 **SECTION 369.** 234.03 of the statutes is repealed.

12 **SECTION 370.** 234.032 of the statutes is repealed.

13 **SECTION 371.** 234.034 of the statutes is renumbered 235.401.

14 **SECTION 372.** 234.04 of the statutes is renumbered 235.402, and 235.402 (2),
15 as renumbered, is amended to read:

16 235.402 (2) The authority may make or participate in the making and enter
17 into commitments for the making of long-term mortgage loans to eligible sponsors
18 of housing projects for occupancy by persons and families of low and moderate
19 income, or for the making of homeownership mortgage loans or housing
20 rehabilitation loans or loans for the refinancing of qualified subprime loans under
21 s. ~~234.592~~ 235.592 to persons and families of low and moderate income, an applicant
22 under s. ~~234.59~~ or ~~234.592~~ 235.59 to 235.592, or other eligible beneficiaries as defined
23 in s. ~~234.49~~ 235.49. The loans may be made only upon the determination by the
24 authority that they are not otherwise available from private lenders upon reasonably
25 equivalent terms and conditions. The authority may not make a loan to a person

1 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
2 unless the person provides to the authority a payment agreement that has been
3 approved by the county child support agency under s. 59.53 (5) and that is consistent
4 with rules promulgated under s. 49.858 (2) (a). The authority may employ, for such
5 compensation as it determines, the services of any financial institution in connection
6 with any loan.

7 **SECTION 373.** 234.05 of the statutes is renumbered 235.403.

8 **SECTION 374.** 234.06 of the statutes is renumbered 235.404.

9 **SECTION 375.** 234.07 of the statutes is renumbered 235.405, and 235.405 (1),
10 as renumbered, is amended to read:

11 235.405 (1) Except as provided in sub. (2), a limited-profit entity ~~which~~ that
12 receives loans from the authority may not make distributions, other than from funds
13 contributed to the limited-profit entity by stockholders, partners, members, or
14 holders of beneficial interest in the limited-profit entity, in any one year with respect
15 to a project financed by the authority in excess of 6% of its equity in such project on
16 a cumulative basis. The equity in a project shall consist of the difference between the
17 amount of the mortgage loan and the total project cost. Total project cost shall
18 include construction or rehabilitation costs including job overhead and a builder's
19 and sponsor's profit and risk fee, architectural, engineering, legal, and accounting
20 costs, organizational expenses, land value, interest, and financing charges paid
21 during construction, the cost of landscaping and off-site improvements, whether or
22 not such costs have been paid in cash or in a form other than cash. With respect to
23 every project the authority shall, pursuant to ~~rules~~ policies and procedures adopted
24 by it, establish the entity's equity at the time of making of the final mortgage advance
25 and, for purposes of this section, that figure shall remain constant during the life of

1 the authority's loan with respect to such project. Upon the dissolution of the
2 limited-profit entity any surplus in excess of the distributions allowed by this section
3 shall be paid to the authority. For this purpose surplus shall not be deemed to include
4 any increase in net worth of any limited-profit entity by reason of a reduction of
5 mortgage indebtedness, by amortization or similar payments or by reason of the sale
6 or disposition of any assets of a limited-profit entity to the extent such surplus can
7 be attributed to any increase in market value of any real or tangible personal
8 property accruing during the period the assets were owned and held by the
9 limited-profit entity.

10 **SECTION 376.** 234.08 (title) of the statutes is renumbered 235.02 (title).

11 **SECTION 377.** 234.08 (1) of the statutes is renumbered 235.02 (1) and amended
12 to read:

13 235.02 (1) The authority may issue its negotiable notes and bonds in such
14 principal amount, as, in the opinion of the authority, is necessary to provide sufficient
15 funds for achieving its corporate purposes, ~~including the purchase of certain~~
16 ~~mortgages and securities and the making of secured loans for low- and~~
17 ~~moderate-income housing, for the rehabilitation of existing structures and for the~~
18 ~~construction of facilities appurtenant thereto as provided in this chapter; for the~~
19 ~~making of secured loans to assist eligible elderly homeowners in paying property~~
20 ~~taxes and special assessments; for the payment of interest on notes and bonds of the~~
21 ~~authority during construction; for the establishment of reserves to secure such notes~~
22 ~~and bonds; for the provision of moneys for the housing development fund in order to~~
23 ~~make temporary loans to sponsors of housing projects as provided in this chapter;~~
24 ~~and for all other expenditures of the authority incident to and necessary or~~
25 ~~convenient to carry out its corporate purposes and powers.~~

1 **SECTION 378.** 234.08 (2) of the statutes is renumbered 235.02 (2).

2 **SECTION 379.** 234.08 (3) of the statutes is renumbered 235.02 (3).

3 **SECTION 380.** 234.08 (4) of the statutes is renumbered 235.02 (4).

4 **SECTION 381.** 234.08 (5) of the statutes is repealed.

5 **SECTION 382.** 234.08 (6) of the statutes is repealed.

6 **SECTION 383.** 234.08 (7) of the statutes is renumbered 235.02 (7).

7 **SECTION 384.** 234.09 of the statutes is renumbered 235.021 and amended to
8 read:

9 **235.021 Same Notes and bonds; authorization; terms.** The authority's
10 notes and bonds shall be authorized by resolution of the members of the authority
11 board; shall bear such date or dates, and shall mature at such time or times, in the
12 case of any note, or any renewal thereof, not exceeding 5 years, from the date of issue
13 of such original note, and in the case of any bond not exceeding 50 years from the date
14 of issue, as the resolution provides. The notes and bonds shall bear interest at such
15 rate or rates, be in such denominations of \$1,000 or more, be in such form, either
16 coupon or registered, carry such registration privileges, be executed in such manner,
17 be payable in such medium of payment, at such place and be subject to such terms
18 of redemption as the resolution provides. The bonds may be issued as serial bonds
19 payable in annual installments or as term bonds or as a combination thereof. The
20 notes and bonds of the authority may be sold by the authority, at public or private
21 sale, at the price determined by the authority.

22 **SECTION 385.** 234.10 of the statutes is renumbered 235.0215, and 235.0215
23 (title) and (9), as renumbered, are amended to read:

24 **235.0215 (title) Same Notes and bonds; resolution authorizing**
25 **issuance, contents.**

1 (9) Vesting in a trustee such property, rights, powers, and duties in trust as the
2 authority determines, which may include any or all of the rights, powers, and duties
3 of the trustee appointed by the noteholders or bondholders pursuant to s. ~~234.20~~
4 235.0265 and limiting or abrogating the right of the noteholders or bondholders to
5 appoint a trustee under s. ~~234.20~~ 235.0265 or limiting the rights, powers, and duties
6 of such trustee, in which event s. ~~234.20~~ 235.0265 shall not apply.

7 **SECTION 386.** 234.11 of the statutes is renumbered 235.022 and amended to
8 read:

9 **235.022 Same Notes and bonds; validity and effect of pledge.** Any pledge
10 made by the authority shall be valid and binding from the time when the pledge is
11 made; the moneys or property so pledged and thereafter received by the authority
12 shall immediately be subject to the lien of such pledge without any physical delivery
13 thereof or further act; and the lien of any such pledge shall be valid and binding as
14 against all parties having claims of any kind in tort, contract, or otherwise against
15 the authority, irrespective of whether such parties have notice thereof. Neither the
16 resolution nor any other instrument by which a pledge is created need be recorded.

17 **SECTION 387.** 234.12 of the statutes is renumbered 235.0225 and amended to
18 read:

19 **235.0225 Same Notes and bonds; personal liability of members of**
20 **authority.** Neither the members of the authority board, nor the members of a
21 committee established by the board, nor any person executing the notes or bonds
22 shall be liable personally on the notes or bonds or be subject to any personal liability
23 or accountability by reason of the issuance thereof.

24 **SECTION 388.** 234.13 of the statutes is renumbered 235.023, and 235.023 (title),
25 as renumbered, is amended to read:

1 **235.023** (title) **Same Notes and bonds; purchase for cancellation.**

2 **SECTION 389.** 234.14 of the statutes is renumbered 235.0235, and 235.0235
3 (title), as renumbered, is amended to read:

4 **235.0235** (title) **Same Notes and bonds; liability of state.**

5 **SECTION 390.** 234.15 of the statutes is renumbered 235.024.

6 **SECTION 391.** 234.16 of the statutes is renumbered 235.0245.

7 **SECTION 392.** 234.165 of the statutes is renumbered 235.025, and 235.025 (2)
8 (dm), as renumbered, is amended to read:

9 235.025 (2) (dm) The authority shall allocate a portion of its surplus in a plan
10 prepared under par. (b) to the property tax deferral loan program under ss. ~~234.621~~
11 ~~to 234.626~~ 235.621 to 235.626.

12 **SECTION 393.** 234.17 of the statutes is repealed.

13 **SECTION 394.** 234.18 of the statutes is renumbered 235.0255 and amended to
14 read:

15 **235.0255 Limit on amount of outstanding bonds and notes.** The
16 authority may not issue notes and bonds that are secured by a capital reserve fund
17 to which s. ~~234.15~~ 235.024 (4) applies if, upon issuance, the total aggregate
18 outstanding principal amount of notes and bonds that are secured by a capital
19 reserve fund to which s. ~~234.15~~ 235.024 (4) applies would exceed \$600,000,000. This
20 section does not apply to bonds and notes issued to refund outstanding notes and
21 bonds.

22 **SECTION 395.** 234.19 of the statutes is renumbered 235.026.

23 **SECTION 396.** 234.20 of the statutes is renumbered 235.0265.

24 **SECTION 397.** 234.21 of the statutes is renumbered 235.027 and amended to
25 read:

1 **235.027 Trustee; additional powers.** The trustee, in addition to the powers
2 granted in s. ~~234.20~~ 235.0265 shall have all of the powers necessary or appropriate
3 for the exercise of any functions specifically set forth in this chapter or incident to
4 the general representation of noteholders or bondholders in the enforcement and
5 protection of their rights.

6 **SECTION 398.** 234.22 of the statutes is renumbered 235.0271 and amended to
7 read:

8 **235.0271 Venue.** The venue of any action or proceeding by the trustee under
9 ss. ~~234.19, 234.20 and 234.21~~ 235.026, 235.0265, and 235.027 shall be in Dane
10 County.

11 **SECTION 399.** 234.23 of the statutes is renumbered 235.0273.

12 **SECTION 400.** 234.24 of the statutes is renumbered 235.0275.

13 **SECTION 401.** 234.25 of the statutes is repealed.

14 **SECTION 402.** 234.255 of the statutes is repealed.

15 **SECTION 403.** 234.26 of the statutes is renumbered 235.0277.

16 **SECTION 404.** 234.265 of the statutes is renumbered 235.0279 and amended to
17 read:

18 **235.0279 Records of the authority.** All records of the authority or any
19 corporation established by the authority shall be open to the public as provided in
20 s. 19.35 (1), except:

21 (1) Those records relating to pending grants, ~~economic development loans,~~
22 economic development projects, or housing projects ~~which~~ that, in the opinion of the
23 authority, must remain confidential to protect the competitive nature of the grant,
24 loan, or project.

1 (2) Records or portions of records consisting of personal or financial
2 information provided by a person seeking a grant or loan under s. 234.63, 2007
3 stats., or s. 234.04, 234.08, 234.49, 234.59, 234.592, 234.605, 234.61, 234.65, 234.67,
4 234.83, 234.84, 234.90, 234.905, 234.907, or 234.91, seeking a loan under ss. 234.621
5 to 234.626, seeking financial assistance under s. 234.66, 2005 stats., seeking
6 mortgage loan refinancing from a lender under s. 234.605, seeking investment of
7 funds under s. 234.03 (18m), or in which the authority has invested funds under s.
8 234.03 (18m), unless the person consents to disclosure of the information, tax credit,
9 or other financial assistance from the authority. ✓

10 **SECTION 405.** 234.28 of the statutes is renumbered 235.028.

11 **SECTION 406.** 234.29 of the statutes is renumbered 235.0283.

12 **SECTION 407.** 234.30 of the statutes is renumbered 235.0285.

13 **SECTION 408.** 234.31 of the statutes is renumbered 235.0287.

14 **SECTION 409.** 234.32 of the statutes is renumbered 235.0289.

15 **SECTION 410.** 234.35 of the statutes is renumbered 235.0291.

16 **SECTION 411.** 234.36 of the statutes is renumbered 235.0293.

17 **SECTION 412.** 234.40 of the statutes is renumbered 235.409, and 235.409 (2),
18 (3) and (4), as renumbered, are amended to read:

19 235.409 (2) Bonds issued under the authority of this section are payable out
20 of revenues or moneys received from the repayment of veterans housing loans and
21 related funds made available in ss. 234.42 235.42 and 234.43 235.43. All assets and
22 liabilities created through the issuance of bonds to purchase mortgage loans
23 representing veterans housing loans are to be separate from all other assets and
24 liabilities of the authority. No funds of the veterans housing loan program may be
25 commingled with any other funds of the authority.

1 (3) It is the intent of the legislature that the authority be used to finance the
2 veterans housing program. Nothing in this ~~chapter~~ subchapter shall be construed
3 to supersede the powers vested by subch. III of ch. 45 in the department of veterans
4 affairs for carrying out program responsibilities for which debt has been incurred by
5 the authority.

6 (4) The limitations established in ss. ~~234.18, 234.50, 234.60, 234.61, and 234.65~~
7 235.0255, 235.50, 235.60, and 235.61 are not applicable to bonds issued under the
8 authority of this section. The authority may not have outstanding at any one time
9 bonds for veterans housing loans in an aggregate principal amount exceeding
10 \$61,945,000, excluding bonds being issued to refund outstanding bonds.

11 **SECTION 413.** 234.41 of the statutes is renumbered 235.41, and 235.41 (3), as
12 renumbered, is amended to read:

13 235.41 (3) Moneys of the veterans housing loan fund may be invested as
14 provided in s. ~~234.03 (18) policies and procedures established by the authority.~~ All
15 such investments shall be the exclusive property of the fund. All earnings on or
16 income from such investments shall be credited to the fund, paid over to the
17 department of veterans affairs and deposited in the veterans trust fund after
18 payment or repayment of any deficits arising in the veterans capital reserve fund and
19 after payment of expenses contained in sub. (4).

****NOTE: This change is as a result of the repeal of 234.03. Okay?

20 **SECTION 414.** 234.42 of the statutes is renumbered 235.42, and 235.42 (1s) and
21 (4), as renumbered, are amended to read:

22 235.42 (1s) The authority shall establish the veterans capital reserve fund to
23 secure the veterans housing bonds sold pursuant to s. ~~234.40~~ 235.409, and shall pay
24 into the veterans capital reserve fund any moneys appropriated and made available

1 by the state for the purposes of such fund, any proceeds of sale of bonds, to the extent
2 provided in the resolution of the authority authorizing the issuance thereof and any
3 other moneys which are made available to the authority for the purpose of such fund
4 from any other source.

5 (4) To assure the continued operation and solvency of the authority for the
6 carrying out of the veterans housing loan program of this ~~chapter~~ subchapter, the
7 authority shall accumulate in the veterans capital reserve fund an amount equal to
8 the veterans capital reserve fund requirement. If at any time the veterans capital
9 reserve fund requirement exceeds the amount of the veterans capital reserve fund,
10 the chairperson of the authority shall certify to the secretary of administration, the
11 governor and the joint committee on finance, the amount necessary to restore the
12 veterans capital reserve fund to an amount equal to the veterans capital reserve fund
13 requirement. If such certification is received by the secretary of administration in
14 an even-numbered year prior to the completion of the budget compilation under s.
15 16.43, the secretary shall include the certified amount in the budget compilation. In
16 any case, the joint committee on finance shall introduce in either house, in bill form,
17 an appropriation of the amount so certified to the veterans capital reserve fund of the
18 authority. Recognizing its moral obligation to do so, the legislature hereby expresses
19 its expectation and aspiration that, if ever called upon to do so, it shall make such
20 appropriation.

21 **SECTION 415.** 234.43 of the statutes is renumbered 235.43, and 235.43 (1), as
22 renumbered, is amended to read:

23 235.43 (1) The authority shall establish the veterans housing bond redemption
24 fund. All mortgages purchased with moneys from the veterans housing loan fund
25 shall be the exclusive property of the bond redemption fund. All moneys received by

1 the authority from the repayment of veterans housing loans shall be deposited into
2 such fund to be used for the repayment of veterans housing bonds issued pursuant
3 to s. ~~234.40~~ 235.409.

4 **SECTION 416.** 234.44 of the statutes is renumbered 235.44 and amended to
5 read:

6 **235.44 Validation of certain obligations and proceedings.**

7 Notwithstanding any provision of this chapter or any other law, in the absence of
8 fraud, all obligations issued prior to May 4, 1976 purportedly pursuant to ~~this~~
9 ~~chapter ch. 234, 2013 stats.~~, and all proceedings prior to such time taken purportedly
10 pursuant to ~~this chapter ch. 234, 2013 stats.~~, for the authorization and issuance of
11 such obligations or of obligations not yet issued, and the sale, execution, and delivery
12 of such obligations issued prior to May 4, 1976, are hereby validated, ratified,
13 approved, and confirmed, notwithstanding any lack of power, however patent, other
14 than constitutional, of the issuing authority or the governing body or officer thereof,
15 to authorize such obligations, or to sell, execute, or deliver the same, and
16 notwithstanding any defects or irregularities, however patent, other than
17 constitutional, in such proceeding or in such sale, execution, or delivery of such
18 obligations. All such obligations issued prior to May 4, 1976 are binding, legal
19 obligations in accordance with their terms.

20 **SECTION 417.** 234.49 of the statutes is renumbered 235.49, and 235.49 (1)
21 (intro.) and (2) (a) (intro.), 6. and 8., as renumbered, are amended to read:

22 235.49 (1) DEFINITIONS. (intro.) In ss. ~~234.49~~ 235.49 to ~~234.55~~ 235.55:

23 (2) (a) (intro.) The authority has the following powers for the purpose of
24 implementing this section, in addition to all other powers granted by this ~~chapter~~
25 subchapter:

1 6. To enter into contracts or agreements with authorized lenders and sponsors
2 providing for the maximum and minimum acceptable rates of interest to be charged
3 for various classifications of housing rehabilitation loans. In no event may the stated
4 rate of interest on any housing rehabilitation loan under this section exceed the
5 greater of 8% per year or 3% plus the rate necessary to fully repay interest and
6 principal on housing rehabilitation loan program bonds issued pursuant to s. ~~234.50~~
7 235.50.

8 8. To adopt procedures and forms necessary to effectuate the rehabilitation
9 program or to facilitate the marketing of bonds issued under s. ~~234.50~~ 235.50.

10 **SECTION 418.** ~~234.50~~ of the statutes is renumbered 235.50, and 235.50 (1), (2)
11 and (4), as renumbered, are amended to read:

12 235.50 (1) The authority may issue its negotiable bonds in such principal
13 amount and of such length of maturity as, in the opinion of the authority, is necessary
14 to provide sufficient funds for purchasing housing rehabilitation loans or for funding
15 commitments for loans to lenders for housing rehabilitation loans; for purchasing
16 property tax deferral loans under s. ~~234.49~~ 235.49 (2) (a) 10.; for the establishment
17 of reserves to secure such bonds; and for all other expenditures of the authority
18 incident to or necessary and convenient in connection therewith. The authority may,
19 whenever it deems refunding expedient, refund any bonds by the issuance of new
20 bonds whether the bonds to be refunded have or have not matured, and issue bonds
21 partly to refund bonds then outstanding and partly for the purpose authorized by
22 this section.

23 (2) Bonds issued under the authority of this section shall be special obligations
24 of the authority payable solely out of revenues, moneys or other property received in
25 connection with the housing rehabilitation loan program, including, without

1 limitation, repayments of housing rehabilitation loans, federal insurance or
2 guarantee payments, the proceeds of bonds issued under the authority of this
3 section, and the amounts made available under ss. ~~234.54~~ 235.54 and ~~234.55~~ 235.55.

4 All assets and liabilities created through the issuance of bonds to purchase housing
5 rehabilitation loans shall be separate from all other assets and liabilities of the
6 authority. No funds of the housing rehabilitation loan program may be commingled
7 with any other funds of the authority.

8 (4) The limitations established in ss. ~~234.18, 234.40, 234.60, 234.61, and 234.65~~
9 235.0255, 235.409, 235.60, and 235.61 are not applicable to bonds issued under the
10 authority of this section. The authority may not have outstanding at any one time
11 bonds for housing rehabilitation loans in an aggregate principal amount exceeding
12 \$100,000,000, excluding bonds being issued to refund outstanding bonds. The
13 authority shall consult with and coordinate the issuance of bonds with the building
14 commission prior to the issuance of bonds.

15 **SECTION 419.** 234.51 of the statutes is renumbered 235.51, and 235.51 (1), (2)
16 (a) and (3), as renumbered, are amended to read:

17 235.51 (1) There is established under the jurisdiction of the authority a housing
18 rehabilitation loan program administration fund. There shall be paid into such fund
19 the amounts appropriated under s. ~~20.490~~ 20.885 (2) (a) (ad), the amounts provided
20 in s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from other
21 funds or sources and any other moneys which may be available to the authority for
22 the purpose of such fund from any other source.

23 (2) (a) To pay all administrative costs, expenses, and charges, including
24 origination fees and servicing fees, incurred in conducting the housing rehabilitation

1 loan program other than those described in ss. ~~234.53~~ 235.53 (4) and ~~234.55~~ 235.55
2 (2) (b).

3 (3) Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ policies
4 and procedures established by the authority. All such investments shall be the
5 exclusive property of the fund. All earnings on or income from such investments
6 shall be credited to the fund.

****NOTE: This change is as a result of the repeal of 234.03. Okay?

7 **SECTION 420.** 234.52 of the statutes is renumbered 235.52, and 235.52 (1), (2)
8 and (3), as renumbered, are amended to read:

9 235.52 (1) There is established under the jurisdiction of the authority a housing
10 rehabilitation loan program loan-loss reserve fund. There shall be paid into such
11 fund the amounts appropriated under s. ~~20.490~~ 20.885 (2) (q), the amounts provided
12 under s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from
13 other funds or sources and any other moneys which may be available to the authority
14 for the purposes of such fund from any other source.

15 (2) Subject to agreements with bondholders, the authority shall use moneys in
16 the fund solely for transfer to the housing rehabilitation loan program bond
17 redemption fund in amounts equal to losses on housing rehabilitation loans owned
18 by that fund which are not made good by federal insurance or guarantee payments,
19 and solely for the purposes described in s. ~~234.55~~ 235.55 (2) (a). Any balance
20 remaining after payment or due provision for payment of all outstanding bonds
21 issued under the authority of s. ~~234.50~~ 235.50 shall be transferred to the housing
22 rehabilitation loan program administration fund.

23 (3) Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ policies
24 and procedures established by the authority. All such investments shall be the

1 exclusive property of the fund. All earnings on or income from such investments
2 shall be credited to the fund.

****NOTE: This change is as a result of the repeal of 234.03. Okay?

3 SECTION 421. 234.53 of the statutes is renumbered 235.53, and 235.53 (1), (2)
4 and (3), as renumbered, are amended to read:

5 235.53 (1) The authority shall establish the housing rehabilitation loan fund.
6 All moneys resulting from the sale of bonds issued under the authority of s. ~~234.50~~
7 235.50, not including bonds issued to refund outstanding bonds, and unless credited
8 to the housing rehabilitation loan program capital reserve or bond redemption funds,
9 shall be credited to such fund.

10 (2) The authority shall use moneys in the fund for the purpose of purchasing
11 housing rehabilitation loans or for funding commitments for loans to lenders for
12 housing rehabilitation loans. All disbursements of funds under this section for
13 purchasing such loans shall be made payable to an authorized lender as defined in
14 s. ~~234.49~~ 235.49 (1) (b) or a duly authorized agent thereof.

15 (3) Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ policies
16 and procedures established by the authority. All such investments shall be the
17 exclusive property of the fund. All earnings on or income from such investments
18 shall be credited to the fund.

****NOTE: This change is as a result of the repeal of 234.03. Okay?

19 SECTION 422. 234.54 of the statutes is renumbered 235.54, and 235.54 (1r) and
20 (4) (a), as renumbered, are amended to read:

21 235.54 (1r) The authority shall establish the housing rehabilitation loan
22 program capital reserve fund to secure the bonds issued under the authority of s.
23 ~~234.50~~ 235.50, and shall pay into such fund any moneys appropriated and made

1 available by the state for the purposes of such fund, any proceeds of sale of housing
2 rehabilitation bonds to the extent provided in the resolution of the authority
3 authorizing the issuance thereof and any other moneys which are made available to
4 the authority for the purpose of such fund from any other source.

5 (4) (a) To assure the continued operation and solvency of the authority for the
6 carrying out of the public purposes of this ~~chapter~~ subchapter, the authority shall
7 accumulate in the capital reserve fund an amount equal to the capital reserve fund
8 requirement for such fund.

9 **SECTION 423.** 234.55 of the statutes is renumbered 235.55, and 235.55 (1) and
10 (4), as renumbered, are amended to read:

11 235.55 (1) The authority shall establish the housing rehabilitation loan
12 program bond redemption fund. All housing rehabilitation loans purchased with
13 moneys from the housing rehabilitation loan fund or notes evidencing loans to
14 lenders from such fund for housing rehabilitation loans shall be the exclusive
15 property of such redemption fund. All moneys received from the repayment of such
16 loans, any amounts transferred by the authority to such fund pursuant to s. ~~234.52~~
17 235.52 or from other funds or sources, any federal insurance or guarantee payments
18 with respect to such loans, all moneys resulting from the sale of bonds for the purpose
19 of refunding outstanding housing rehabilitation bonds unless credited to the housing
20 rehabilitation loan program capital reserve fund, and any other moneys which may
21 be available to the authority for the purpose of such fund, shall be deposited into such
22 fund to be used for the repayment of housing rehabilitation bonds issued under the
23 authority of s. ~~234.50~~ 235.50.

24 (4) Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ policies
25 and procedures established by the authority. All such investments shall be the

1 exclusive property of the fund. All earnings on or income from such investments
2 shall be credited to the fund.

***NOTE: This change is as a result of the repeal of 234.03. Okay?

3 SECTION 424. 234.59 of the statutes is renumbered 235.59, and 235.59 (2) (e)
4 and (3) (bc) 3., as renumbered, are amended to read:

5 235.59 (2) (e) May enter into agreements to insure or provide additional
6 security for homeownership mortgage loans or bonds or notes issued under s. ~~234.60~~
7 235.60.

8 (3) (bc) 3. If the authority sets aside at least 20% of the proceeds of a bond or
9 note issuance under s. ~~234.60~~ 235.60 to fund home ownership mortgage loans for
10 eligible properties that are targeted area residences, the authority may apply up to
11 33% of the proceeds that are set aside for that purpose without regard to the income
12 of the applicant.

13 SECTION 425. 234.592 of the statutes is renumbered 235.592, and 235.592 (1)
14 (a), (b) and (c) and (2) (c), as renumbered, are amended to read:

15 235.592 (1) (a) "Authorized lender" has the meaning given in s. ~~234.59~~ 235.59
16 (1) (a).

17 (b) "Eligible property" has the meaning given in s. ~~234.59~~ 235.59 (1) (d) 1.

18 (c) "Principal residence" has the meaning given in. s. ~~234.59~~ 235.59 (1) (j).

19 (2) (c) May enter into agreements to insure or provide additional security for
20 loans or bonds or notes issued under s. ~~234.60~~ 235.60.

21 SECTION 426. 234.60 of the statutes is renumbered 235.60, and 235.60 (1), (2),
22 (5) (c) and (9), as renumbered, are amended to read:

1 235.60 (1) The authority may issue its bonds or notes to fund homeownership
2 mortgage loans or the refinancing of qualified subprime loans under s. ~~234.592~~
3 235.592.

4 (2) The limitations in ss. ~~234.18, 234.40, 234.50, 234.61, and 234.65~~ 235.0255,
5 235.409, 235.50, and 235.61 do not apply to bonds or notes issued under this section.

6 (5) (c) The secretary of administration shall determine the date after which no
7 bond or note may be issued under this section for the purpose of financing the
8 acquisition or replacement of an existing mortgage under s. ~~234.592~~ 235.592.

9 (9) ~~The executive director of the authority shall make every effort to encourage~~
10 participation in the homeownership mortgage loan program and the qualified
11 subprime loan refinancing program by women and minorities.

12 **SECTION 427.** 234.605 of the statutes is renumbered 235.605, and 235.605 (1)
13 (a) and (2), as renumbered, are amended to read:

14 235.605 (1) (a) “Eligible property” has the meaning given in s. ~~234.59~~ 235.59
15 (1) (d) 1.

16 (2) Subject to the approval of all members of the board of directors of the
17 authority, the authority may establish and administer a homeowner eviction and
18 lien protection program to encourage the refinancing of mortgage loans by lenders
19 in order to facilitate the retention of eligible property by persons and families.

20 **SECTION 428.** 234.61 of the statutes is renumbered 235.61, and 235.61 (1), as
21 renumbered, is amended to read:

22 235.61 (1) Upon the authorization of the department of health services, the
23 authority may issue bonds or notes and make loans for the financing of housing
24 projects which are residential facilities as defined in s. 46.28 (1) (d) and the
25 development costs of those housing projects, if the department of health services has

1 approved the residential facilities for financing under s. 46.28 (2). The limitations
2 in ss. ~~234.18, 234.40, 234.50, 234.60, and 234.65~~ 235.0255, 235.409, 235.50, and
3 235.60 do not apply to bonds or notes issued under this section. The definition of
4 “nonprofit corporation” in s. ~~234.01~~ 235.40 (9) does not apply to this section.

5 **SECTION 429.** 234.621 of the statutes is renumbered 235.621.

6 **SECTION 430.** 234.622 (intro.) of the statutes is renumbered 235.622 (intro.)
7 and amended to read:

8 **235.622 Definitions.** (intro.) In ss. ~~234.621 to 234.626~~ 235.621 to 235.626:

9 **SECTION 431.** 234.622 (1) of the statutes is renumbered 235.622 (1).

10 **SECTION 432.** 234.622 (2m) of the statutes is repealed.

11 **SECTION 433.** 234.622 (3) of the statutes is renumbered 235.622 (3).

12 **SECTION 434.** 234.622 (3m) of the statutes is renumbered 235.622 (3m).

13 **SECTION 435.** 234.622 (4) of the statutes is renumbered 235.622 (4).

14 **SECTION 436.** 234.622 (5) of the statutes is renumbered 235.622 (5) and
15 amended to read:

16 235.622 (5) “Permitted obligations” means the total amount of outstanding
17 liens and judgments on the qualifying dwelling unit if that amount does not exceed
18 33% of the value of the unit as determined by the most recent assessment for property
19 tax purposes. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, housing and
20 rehabilitation loans under s. ~~234.49~~ 235.49 and liens arising under ss. ~~234.621~~
21 235.621 to ~~234.626~~ 235.626 shall not be considered outstanding liens or judgments
22 in computing the amount of permitted obligations.

23 **SECTION 437.** 234.622 (6) of the statutes is renumbered 235.622 (6) and
24 amended to read:

1 235.622 (6) “Program” means the program under ss. ~~234.621~~ 235.621 to
2 ~~234.626~~ 235.626.

3 **SECTION 438.** 234.622 (7) of the statutes is renumbered 235.622 (7) and
4 amended to read:

5 235.622 (7) “Qualifying dwelling unit” means a dwelling unit, not including a
6 mobile home as defined in s. 101.91 (10), located in this state, habitable as a
7 permanent residence and to which property taxes or special assessments are, or may
8 conveniently be, allocated and up to one acre of land appertaining to it held in the
9 same ownership as the dwelling unit. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~
10 235.626, “qualifying dwelling unit” includes a unit in a condominium or in a
11 cooperative or an unincorporated cooperative association or in a multiunit dwelling
12 with 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
13 assessments allocable to the unit lived in by the participant may qualify for loans
14 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

15 **SECTION 439.** 234.623 of the statutes is renumbered 235.623, and 235.623 (1)
16 and (3), as renumbered, are amended to read:

17 235.623 (1) The participant applies on forms prescribed by the authority for a
18 loan to pay property taxes or special assessments by June 30 of the year in which the
19 taxes or special assessments are payable on a qualifying dwelling unit and, except
20 as provided in s. ~~234.625~~ 235.625 (5), specifies the names of all co-owners.

21 (3) The participant keeps continuously in effect during the period that a loan
22 is outstanding under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 a fire and extended
23 casualty insurance policy on the qualifying dwelling unit satisfactory to the
24 authority and permits the authority to be named on the policy as a lienholder.

25 **SECTION 440.** 234.624 of the statutes is renumbered 235.624.

1 **SECTION 441.** 234.625 of the statutes is renumbered 235.625, and 235.625 (1),
2 (2), (3), (4) (b) 1. and 6., (5), (9) and (10), as renumbered, are amended to read:

3 235.625 (1) The authority shall enter into agreements with participants and
4 their co-owners to loan funds to pay property taxes and special assessments on their
5 qualifying dwelling units. The maximum loan under ss. ~~234.621~~ 235.621 to ~~234.626~~
6 235.626 in any one year is limited to the lesser of \$3,525 or the amount obtained by
7 adding the property taxes levied on the qualifying dwelling unit for the year for
8 which the loan is sought, the special assessments levied on the dwelling unit, and the
9 interest and penalties for delinquency attributable to the property taxes or special
10 assessments. Loans shall bear interest at a rate equal to the prime lending rate at
11 the time the rate is set, as reported by the federal reserve board in federal reserve
12 statistical release H. 15, plus 1%. ~~The executive director~~ authority shall set the rate
13 no later than October 15 of each year, and that rate shall apply to loans made in the
14 following year.

15 (2) The authority shall have all powers ~~under s. 234.03~~ that are necessary or
16 convenient to the operation of a loan program, including, without limitation because
17 of enumeration, the power to enter into contracts, to pay or be paid for the
18 performance of services, to exercise all rights of a lienholder under subch. I of ch. 779,
19 and to perform other administrative actions that are necessary in the conduct of its
20 duties under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

21 (3) The authority shall adopt rules ~~policies~~ and ~~establish~~ procedures under
22 which applications for loans under this section may be submitted, reviewed, and
23 approved; under which repayment of the loans are to be obtained; under which
24 disputes and claims concerning the loans are to be settled; and under which records
25 concerning are to be maintained.

1 (4) (b) 1. Transfer of the qualifying dwelling unit by any means except upon
2 transfer to a co-owner who resides in the unit and who is permitted to assume the
3 participant's account as provided in s. ~~234.624~~ 235.624.

4 6. The participant ceases to meet the eligibility requirements of s. ~~234.623~~
5 235.623, except as provided in sub. (5).

6 (5) If a participant in the program ceases to meet the eligibility requirements
7 of this section, the authority, rather than demanding repayment under sub. (4) (b),
8 may allow the participant to continue in the program, may allow the participant to
9 continue in the program but be ineligible for additional loans, or may require partial
10 settlement. The authority may also allow co-owners to be added to the loan
11 agreement if, ~~in the judgment of the executive director,~~ the authority determines that
12 the addition of co-owners does not significantly increase the authority's exposure to
13 risk under the loan agreement.

14 (9) Upon the making of the initial loan, a nonconsensual statutory lien in favor
15 of the authority to secure payment of the principal, interest, fees and charges due on
16 all loans, including loans made after the lien is filed, to the participant made under
17 ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 shall attach to the qualifying dwelling unit
18 in respect to which the loan is made. The qualifying dwelling unit shall remain
19 subject to the statutory lien until the payment in full of all loans and charges. If the
20 authority funds such loans from the proceeds of notes or bonds under s. ~~234.626~~
21 235.626, its right under the lien shall automatically accrue to the benefit of the
22 holders of those notes or bonds, without any action or assignment by the authority.
23 When a loan becomes due and payable, the statutory lien hereby conferred may be
24 enforced by the authority or the holders of the notes or bonds or their representative,
25 as the case may be, in the same manner as a construction lien under ss. 779.09 to

1 779.12, except that neither the participant nor any co-owners or their personal
2 representatives, successors or assigns shall be personally liable for any deficiency
3 which may arise from the sale. At the time of disbursing the initial loan to a
4 participant, the authority shall record with the register of deeds of the county in
5 which the qualifying dwelling unit is located, on a form prescribed by the authority
6 which shall contain a legal description of the qualifying dwelling unit, a notice of the
7 loan made under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 and the existence of the
8 statutory lien arising therefrom. The register of deeds shall record the notice in the
9 land records and index it in the indexes maintained by the register of deeds. The
10 statutory lien created by this section shall have priority over any lien that originates
11 subsequent to the recording of the notice.

12 (10) If the property taxes or special assessments are paid, using a loan made
13 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, after the taxes or assessments are due,
14 the participant shall be liable for interest and penalty charges for delinquency under
15 ch. 74. Subject to sub. (1), the principal amount of loans made under this program
16 may include delinquency charges.

17 **SECTION 442.** 234.626 of the statutes is renumbered 235.626, and 235.626 (1),
18 (2), (2m), (4), (6) and (7), as renumbered, are amended to read:

19 235.626 (1) Loans made or authorized to be made under ss. ~~234.621~~ 235.621
20 to ~~234.626~~ 235.626 may be funded from the proceeds of notes and bonds issued
21 subject to and in accordance with ss. ~~234.08 to 234.14~~ 235.02 to 235.0235 and from
22 the fund under s. ~~234.165~~ 235.025.

23 (2) The authority may create a system of funds and accounts, separate and
24 distinct from all other funds and accounts of the authority, consisting of moneys
25 received from notes and bonds, all revenues received in the repayment of loans made

1 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, except as provided in sub. (2m), and
2 any other revenues dedicated to it by the authority. The authority may pledge
3 moneys and revenues received or to be received by this system of funds and accounts
4 to secure bonds or notes issued for the program. The authority shall have all other
5 powers necessary and convenient to distribute the proceeds of the bonds, notes, and
6 loan repayments in accordance with its powers under this ~~chapter~~ subchapter.

7 (2m) Revenues received in the repayment of loans made under s. ~~234.165~~
8 235.025 shall be paid into the fund under s. ~~234.165~~ 235.025.

9 (4) The authority may adopt rules policies and procedures that restrict
10 eligibility in addition to the requirements of s. ~~234.623~~ 235.623 or require the
11 provision of additional security if, ~~in the executive director's judgment,~~ the authority
12 determines that the rules or security are required for the satisfactory issuance of
13 bonds or notes.

14 (6) Unless otherwise expressly provided in resolutions authorizing the
15 issuance of bonds or notes or in other agreements with the holders of bonds or notes,
16 each bond or note issued shall be on a parity with every other bond or note issued for
17 the funding of loans under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

18 (7) Recognizing its moral obligation to do so, the legislature expresses its
19 expectation and aspiration that, if ever called to do so, it shall make an appropriation
20 to make the authority whole for defaults on loans issued under ss. ~~234.621~~ 235.621
21 to ~~234.626~~ 235.626.

22 SECTION 443. 234.65 of the statutes is repealed.

23 SECTION 444. Subchapter II (title) of chapter 234 [precedes 234.67] of the
24 statutes is renumbered subchapter V of chapter 235 [precedes 235.67].

1 **SECTION 445.** 234.67 of the statutes is renumbered 235.67, and 235.67 (1) (e),
2 (2) (intro.) and (3), as renumbered, are amended to read:

3 235.67 (1) (e) “Participating lender” means a bank, credit union, savings bank,
4 savings and loan association or other person, who makes loans for working capital
5 or to finance physical plant needs, equipment or machinery and who has entered into
6 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

7 (2) (intro.) A loan made by a participating lender before December 3, 1993, is
8 eligible for guarantee of collection from the Wisconsin development reserve fund
9 under s. ~~234.93~~ 235.93 if all of the following apply:

10 (3) **GUARANTEE OF COLLECTION.** The authority shall guarantee collection of a
11 percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee
12 under sub. (2). The authority shall establish the percentage of the unpaid principal
13 of an eligible loan that will be guaranteed, using the procedures described in the
14 guarantee agreement under s. ~~234.93~~ 235.93 (2) (a). The authority may establish a
15 single percentage for all guaranteed loans or establish different percentages for
16 eligible loans on an individual basis.

17 **SECTION 446.** 234.75 of the statutes is renumbered 235.75, and 235.75 (2) (c)
18 and (5) (a) and (c) (intro.), as renumbered, are amended to read:

19 235.75 (2) (c) The lender is the authority or a financial institution that enters
20 into an agreement under s. ~~234.93~~ 235.93 (2) (a).

21 (5) (a) Subject to par. (b), the authority may guarantee collection of all or part
22 of the unpaid principal of a loan eligible for guarantee under sub. (3). If the authority
23 guarantees all or part of a loan under this subsection, the authority shall establish
24 the amount of the unpaid principal of an eligible loan that will be guaranteed using
25 the procedures described in the guarantee agreement under s. ~~234.93~~ 235.93 (2) (a).

1 (c) (intro.) Notwithstanding s. ~~234.51~~ 235.51 (2), the authority may transfer
2 moneys from the housing rehabilitation loan program administration fund to the
3 Wisconsin development reserve fund for a loan guarantee under this subsection if all
4 of the following conditions are met:

5 **SECTION 447.** 234.83 of the statutes is renumbered 235.83, and 235.83 (1m) (c),
6 (3) (intro.) and (4), as renumbered, are amended to read:

7 **235.83 (1m) (c)** The lender enters into an agreement under s. ~~234.93~~ 235.93 (2)
8 (a).

9 **(3) ELIGIBLE LOANS.** (intro.) A loan is eligible for guarantee of collection from
10 the Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
11 apply:

12 **(4) GUARANTEE OF REPAYMENT.** The authority may guarantee repayment of a
13 portion of the principal of any loan eligible for a guarantee under sub. (1m). That
14 portion may not exceed 80% of the principal of the loan or \$750,000, whichever is less.
15 The authority shall establish the portion of the principal of an eligible loan that will
16 be guaranteed, using the procedures described in the agreement under s. ~~234.93~~
17 235.93 (2) (a). The authority may establish a single portion for all guaranteed loans
18 that do not exceed \$937,500 and a single portion for all guaranteed loans that exceed
19 \$937,500 or establish on an individual basis different portions for eligible loans that
20 do not exceed \$937,500 and different portions for eligible loans that exceed \$937,500.

21 **SECTION 448.** 234.84 (title) of the statutes is renumbered 235.84 (title).

22 **SECTION 449.** 234.84 (1) of the statutes is repealed.

23 **SECTION 450.** 234.84 (2) of the statutes is renumbered 235.84 (2), and 235.84
24 (2) (c), as renumbered, is amended to read:

1 235.84 (2) (c) The lender is a financial institution that enters into an agreement
2 under s. ~~234.932~~ 235.932 (3) (a).

3 **SECTION 451.** 234.84 (3) of the statutes is renumbered 235.84 (3), and 235.84
4 (3) (intro.) and (c), as renumbered, are amended to read:

5 235.84 (3) ELIGIBLE LOANS. (intro.) A loan is eligible for guarantee of collection
6 from the Wisconsin job training reserve fund under s. ~~234.932~~ 235.932 if all of the
7 following apply:

8 (c) The interest rate on the loan, including any origination fees or other charges,
9 is approved by the ~~corporation~~ authority.

10 **SECTION 452.** 234.84 (4) of the statutes is renumbered 235.84 (4) and amended
11 to read:

12 235.84 (4) GUARANTEE OF COLLECTION. (a) Subject to par. (b), the authority shall
13 guarantee collection of a percentage of the principal of, and all interest and any other
14 amounts outstanding on, any loan eligible for a guarantee under sub. (2). The
15 ~~corporation~~ authority shall establish the percentage of the principal of an eligible
16 loan that will be guaranteed, using the procedures described in the agreement under
17 s. ~~234.932~~ 235.932 (3) (a). The ~~corporation~~ authority may establish a single
18 percentage for all guaranteed loans or establish different percentages for eligible
19 loans on an individual basis.

20 (b) Except as provided in s. ~~234.932~~ 235.932 (4), the total outstanding
21 guaranteed principal amount of all loans that the authority may guarantee under
22 par. (a) may not exceed \$8,000,000.

23 **SECTION 453.** 234.84 (5) (a) of the statutes is repealed.

24 **SECTION 454.** 234.84 (5) (b) of the statutes is renumbered 235.84 (5) and
25 amended to read:

1 235.84 (5) The ~~corporation~~ authority may charge a premium, fee, or other
2 charge to a borrower of a guaranteed loan under this section for the administration
3 of the loan guarantee.

4 **SECTION 455.** 234.86 of the statutes is renumbered 235.86, and 235.86 (2)
5 (intro.) and (c) and (4) (a) and (b), as renumbered, are amended to read:

6 235.86 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money
7 from the Wisconsin drinking water reserve fund under s. ~~234.932~~ 235.932 to
8 guarantee a loan under this section if all of the following apply:

9 (c) The lender is a financial institution that enters into an agreement under s.
10 ~~234.933~~ 235.933 (3) (a).

11 (4) (a) Subject to par. (b), the authority may guarantee collection of a
12 percentage, not exceeding 80%, of the principal of any loan eligible for a guarantee
13 under this section. The authority shall establish the percentage of the unpaid
14 principal of an eligible loan that will be guaranteed using the procedures described
15 in the guarantee agreement under s. ~~234.933~~ 235.933 (3) (a). The authority may
16 establish a single percentage for all guaranteed loans or establish different
17 percentages for eligible loans on an individual basis.

18 (b) Except as provided in s. ~~234.933~~ 235.933 (4), the total outstanding principal
19 amount of all guaranteed loans under par. (a) may not exceed \$3,000,000.

20 **SECTION 456.** 234.88 of the statutes is renumbered 235.88, and 235.88 (1) (c),
21 (2) (intro.) and (6), as renumbered, are amended to read:

22 235.88 (1) (c) “Participating lender” means a bank, production credit
23 association, credit union, savings bank, savings and loan association, or other person
24 who makes emergency heating assistance loans and who has entered into an
25 agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

1 **(2) ELIGIBLE LOANS.** (intro.) An emergency heating assistance loan made by a
2 participating lender is eligible for guarantee of collection under sub. (5) from the
3 Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
4 apply:

5 **(6) INTEREST REDUCTION.** The authority shall pay, from the moneys in the
6 Wisconsin development reserve fund under s. ~~234.93~~ 235.93, to each participating
7 lender an amount equal to 3.5 percent of the principal amount of any guaranteed loan
8 to reduce interest payments on the guaranteed loan paid by an individual.

9 **SECTION 457.** 234.90 of the statutes is renumbered 235.90, and 235.90 (1) (d)
10 and (2) (intro.), as renumbered, are amended to read:

11 235.90 (1) (d) “Participating lender” means a bank, production credit
12 association, credit union, savings bank, savings and loan association or other person
13 who makes agricultural production loans and who has entered into an agreement
14 with the authority under s. ~~234.93~~ 235.93 (2) (a).

15 **(2) ELIGIBLE LOANS.** (intro.) Except as provided in sub. (3j), an agricultural
16 production loan made by a participating lender is eligible for guarantee of collection
17 from the Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the
18 following apply:

19 **SECTION 458.** 234.905 of the statutes is renumbered 235.905, and 235.905 (1)
20 (f), (2) (intro.) and (4) (b), as renumbered, are amended to read:

21 235.905 (1) (f) “Participating lender” means a bank, production credit
22 association, credit union, savings bank, savings and loan association or other person
23 who makes agricultural production drought assistance loans and who has entered
24 into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

1 **(2) ELIGIBLE LOANS.** (intro.) An agricultural production drought assistance loan
2 made by a participating lender is eligible for guarantee of collection from the
3 Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
4 apply:

5 **(4) (b)** Except as provided in s. ~~234.93~~ 235.93 (3), the total principal amounts
6 of all agricultural production drought assistance loans which the authority may
7 guarantee under par. (a) may not exceed \$30,000,000.

8 **SECTION 459.** 234.907 of the statutes is renumbered 235.907, and 235.907 (1)
9 (e), (2) (intro.) and (3), as renumbered, are amended to read:

10 235.907 (1) (e) “Participating lender” means a bank, credit union, savings
11 bank, savings and loan association or other person, who makes loans for working
12 capital or to finance physical plant needs, equipment or machinery and who has
13 entered into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

14 **(2) ELIGIBLE LOANS.** (intro.) A loan made by a participating lender is eligible
15 for guarantee of collection from the Wisconsin development reserve fund under s.
16 ~~234.93~~ 235.93 if all of the following apply:

17 **(3) GUARANTEE OF COLLECTION.** The authority shall guarantee collection of a
18 percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee
19 under sub. (2). The authority shall establish the percentage of the unpaid principal
20 of an eligible loan that will be guaranteed, using the procedures described in the
21 guarantee agreement under s. ~~234.93~~ 235.93 (2) (a). The authority may establish a
22 single percentage for all guaranteed loans or establish different percentages for
23 eligible loans on an individual basis.

24 **SECTION 460.** 234.91 of the statutes is renumbered 235.91, and 235.91 (1) (e)
25 and (2) (intro.), as renumbered, are amended to read:

1 235.91 (1) (e) “Participating lender” means a bank, farm credit service, credit
2 union, savings bank, savings and loan association or other person who makes loans
3 for the acquisition or improvement of agricultural assets and who has entered into
4 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a). The term does not
5 include a seller under a land contract.

6 (2) ELIGIBLE LOANS. (intro.) A loan made by a participating lender is eligible
7 for guarantee of collection from the Wisconsin development reserve fund under s.
8 ~~234.93~~ 235.93 if all of the following apply:

9 **SECTION 461.** 234.92 of the statutes is renumbered 235.92.

10 **SECTION 462.** 234.93 of the statutes is renumbered 235.93, and 235.93 (1) (a),
11 (b), (cm) and (d) and (4) (a) 2. and 3. and (b) (intro.), as renumbered, are amended to
12 read:

13 235.93 (1) (a) Moneys appropriated to the authority under s. ~~20.490 (5) (a), (e)~~
14 20.885 (2) (qm), (r), and (s) or (3) (ap) or received by the authority for the Wisconsin
15 development reserve fund from any other source.

16 (b) Any income from investment of money in the Wisconsin development
17 reserve fund by the authority ~~under s. 234.03 (18)~~.

18 (cm) Any moneys transferred under 1999 Wisconsin Act 9, section 9125 (1), or
19 under s. ~~234.75~~ 235.75 (5) (c), from the housing rehabilitation loan program
20 administration fund.

21 (d) To be used for guaranteeing loans under s. ~~234.91~~ 235.91, fees collected
22 under s. ~~234.91~~ 235.91 (4).

23 (4) (a) 2. To fund guarantees under all of the programs guaranteed by funds
24 from the Wisconsin development reserve fund, except for the program under s.
25 234.935, 1997 stats., and the program under s. ~~234.75~~ 235.75, at a ratio of \$1 of

1 reserve funding to \$4.50 of total outstanding principal and outstanding guaranteed
2 principal that the authority may guarantee under all of those programs.

3 3. To fund guarantees under the program under s. 234.935, 1997 stats., and the
4 program under s. ~~234.75~~ 235.75 at a ratio of \$1 of reserve funding to \$4 of total
5 principal and outstanding guaranteed principal that the authority may guarantee
6 under that program.

7 (b) (intro.) Annually on August 31, the ~~executive director of the~~ authority shall
8 provide to the secretary of administration and to the joint committee on finance a
9 signed statement that includes all of the following:

10 **SECTION 463.** 234.932 of the statutes is renumbered 235.932, and 235.932 (2)
11 (intro.) and (b), as renumbered, are amended to read:

12 235.932 (2) ESTABLISHMENT OF FUND. (intro.) There is established under the
13 jurisdiction and control of the authority, for the purpose of providing funds for
14 guaranteeing loans under s. ~~234.84~~ 235.84, a Wisconsin job training reserve fund,
15 consisting of all of the following:

16 (b) Any income from investment of money in the Wisconsin job training reserve
17 fund by the authority ~~under s. 234.03 (18)~~.

18 **SECTION 464.** 234.933 of the statutes is renumbered 235.933, and 235.933 (1),
19 (2) (intro.) and (b), as renumbered, are amended to read:

20 235.933 (1) DEFINITION. In this section, “drinking water loan guarantee
21 program” means the program under s. ~~234.86~~ 235.86.

22 (2) ESTABLISHMENT OF FUND. (intro.) There is established under the jurisdiction
23 and control of the authority, for the purpose of providing funds for guaranteeing loans
24 under s. ~~234.86~~ 235.86, a Wisconsin drinking water reserve fund, consisting of all of
25 the following:

1 (b) Any income from investment of money in the Wisconsin drinking water
2 reserve fund by the authority ~~under s. 234.03 (18)~~.

3 **SECTION 465.** Subchapter III (title) of chapter 234 [precedes 234.94] of the
4 statutes is renumbered subchapter VI (title) of chapter 235 [precedes 235.94].

5 **SECTION 466.** 234.94 of the statutes is renumbered 235.94, and 235.94 (2) (b)
6 5. and (3), as renumbered, are amended to read:

7 235.94 (2) (b) 5. The corporation's purpose is to promote the employment of
8 members of a target group through projects that meet the conditions specified in s.
9 ~~234.96~~ 235.96 (1) (a) to (d).

10 (3) "Community development finance company" means a corporation or a
11 limited partnership organized for profit under s. ~~234.95~~ 235.95.

12 **SECTION 467.** 234.95 of the statutes is renumbered 235.95, and 235.95 (2), as
13 renumbered, is amended to read:

14 235.95 (2) The community development finance company shall issue stock or
15 partnership interests. The community development finance company shall invest
16 funds it receives from the sale of stock or partnership interests by purchasing capital
17 participation instruments under s. ~~234.96~~ 235.96.

18 **SECTION 468.** 234.96 of the statutes is renumbered 235.96.

19 **SECTION 469.** 234.97 of the statutes is renumbered 235.97, and 235.97 (intro.)
20 and (2), as renumbered, are amended to read:

21 **235.97 Sale or purchase of stock or interest.** (intro.) Subject to s. ~~234.96~~
22 235.96 (1) (h), the authority shall do all of the following:

23 (2) Use funds received from contributions, gifts, or grants ~~under s. 234.03 (32)~~
24 to purchase community development finance company stock or partnership interests
25 or make grants or loans to community development corporations.

1 SECTION 470. 234.98 of the statutes is renumbered 235.98.

2 SECTION 471. Chapter 235 of the statutes is created to read:

3 CHAPTER 235

4 FORWARD WISCONSIN

5 DEVELOPMENT AUTHORITY

6 SUBCHAPTER I

7 GENERAL PROVISIONS

8 235.01 Definitions. In this chapter:

9 (1) "Authority" means the Forward Wisconsin Development Authority.

10 (2) "Board" means the board of directors of the authority.

11 235.011 Creation and organization. (1) There is created a public body
12 corporate and politic, to be known as the "Forward Wisconsin Development
13 Authority." The members of the board shall consist of 12 public members nominated
14 by the governor, and with the advice and consent of the senate appointed, to serve
15 4-year terms. All members shall be employed in the private sector. *Seven* ✓

16 (2) A majority of the voting members of the board constitutes a quorum for the
17 purpose of conducting its business and exercising its powers and for all other
18 purposes, notwithstanding the existence of any vacancies. Action may be taken by
19 the board upon a vote of a majority of the voting members present. The board shall
20 elect a chairperson. *quorum*

21 (3) (a) A chief executive officer shall be nominated by the governor, approved
22 by the board, and with the advice and consent of the senate appointed, to serve at the
23 pleasure of the governor.

24 (b) A chief operating officer shall be nominated by the governor, and with the
25 approval of the board appointed, to serve at the pleasure of the governor.

Insert 145-20 ✓

4 ← B

1 (c) The board may delegate to the chief executive officer and chief operating
2 officer any powers and duties the board considers proper. The chief executive officer
3 and chief operating officer shall receive such compensation as may be determined by
4 the board.

***NOTE: The board can hire a chief financial officer under its general powers. Do
you want to include specific language?

5 (d) The governor shall coordinate with the chief executive officer as if the chief
6 executive officer were the secretary of a department in the executive branch of state
7 government who is appointed by the governor.

8
9

(4) All powers and duties assigned to the authority under this chapter shall be
exercised or carried out by the board, unless the board delegates the power or duty
to an employee of the authority or a committee established by the board.

11 **235.012 Powers of the board.** The board shall have all the powers necessary
12 or convenient to carry out the purposes and provisions of this chapter. In addition
13 to all other powers granted the board by law, the board may:

14 (1) Adopt, amend, and repeal any bylaws, policies, and procedures for the
15 regulation of its affairs and the conduct of its business.

16 (2) Have a seal and alter the seal at pleasure.

17 (3) Maintain offices.

18 (4) Sue and be sued.

19 (5) Accept gifts, grants, loans, or other contributions from private or public
20 sources.

21 (6) Establish the authority's annual budget and monitor the fiscal
22 management of the authority.

1 (7) Make equity investments and execute contracts, securities, mortgages, and
2 other instruments required for the operation of the authority.

3 (8) Employ any officers, agents, and employees that it may require and
4 determine their qualifications, duties, and compensation.

5 (9) Issue notes, bonds, and any other obligations.

6 (10) Make loans and provide grants.

7 (11) Incur debt.

8 (12) Procure liability insurance.

9 (13) Enter into agreements regarding compensation, space, and other
10 administrative matters as are necessary to operate offices in other states and foreign
11 countries. Such agreements shall be subject to the approval of the secretary of
12 administration.

13 (14) Agree and comply with any conditions attached to federal financial
14 assistance.

15 (15) To lease real or personal property and to accept federal funds for and
16 participate in such federal housing programs as are enacted on May 4, 1976, or at
17 any future time, except that the authority may not accept without the consent of the
18 governor federal funds under federal housing programs enacted after May 8, 1982,
19 if issuance of the authority's bonds or notes is not required to participate in the
20 programs.

21 (16) To establish and maintain a corporation organized under ch. 180 or 181.

22 **235.013 Duties of the board; mission.** The board shall develop and
23 implement economic development programs, loan guarantee programs, and housing
24 programs and projects to provide business, housing, and other support and expertise
25 and financial assistance to companies that are investing and creating jobs in

and to provide single and multi-family housing to persons and families of low and moderate income in Wisconsin

1 Wisconsin and to Wisconsin residents to support new business start-ups, business
2 expansion and growth, and home ownership in Wisconsin. The board may also
3 develop and implement any other programs and projects related to economic
4 development or housing in Wisconsin.

5 SECTION 472. Subchapter II (title) of chapter 235 [precedes 235.03] of the
6 statutes is created to read:

7 CHAPTER 235

8 SUBCHAPTER II

9 ECONOMIC DEVELOPMENT

10 SECTION 473. 235.03 (3) (ad), (ah), (ap) and (at) of the statutes are created to
11 read:

12 235.03 (3) (ad) That each recipient of a grant or loan under the program of at
13 least \$500,000 shall engage an independent certified public accountant to perform
14 procedures, approved by the authority and consistent with applicable professional
15 standards of the American Institute of Certified Public Accountants, to determine
16 whether the grant or loan funds and any matching cash or in-kind match were
17 expended in accordance with the grant or loan contract.

18 (ah) That each recipient required to submit a schedule of expenditures make
19 available for inspection the documents supporting such schedule of expenditures.

20 (ap) That the contract with grant or loan recipients shall include the
21 requirements under pars. (a) to (ah). *each*

22 (at) The requirements of pars. (a) to (ap) do not apply to a department, as
23 defined in s. 15.01 (5), an independent agency, as defined in s. 15.01 (9), an authority
24 created under subch. II of ch. 114 or under ch. 231, 233, 235, 237, or 279, or the
25 University of Wisconsin System.

Insert 146-34 statute

the citation submitted under par. (a)

1 **SECTION 474.** 235.609 of the statutes is created to read:

2 **235.609 Bonds for certain mortgages and securities and for the**
3 **housing development fund.** The authority may issue its negotiable notes and
4 bonds to do any of the following:

5 (1) Purchase certain mortgages and securities and make secured loans for
6 housing for persons and families of low and moderate income, for the rehabilitation
7 of existing structures, and for the construction of facilities appurtenant to existing
8 structures consistent with the provisions and purposes of this chapter.

9 (2) Make secured loans to assist eligible elderly homeowners in paying
10 property taxes and special assessments.

11 (3) Provide moneys for the housing development fund in order to make
12 temporary loans to sponsors of housing projects as provided in this subchapter.

13 **SECTION 475.** Chapter 238 (title) of the statutes is repealed.

14 **SECTION 476.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
15 statutes is repealed.

16 **SECTION 477.** 238.01 (intro.) and (1) of the statutes are repealed.

17 **SECTION 478.** 238.01 (2) of the statutes is repealed.

18 **SECTION 479.** 238.01 (3) of the statutes is renumbered 235.01 (3).

19 **SECTION 480.** 238.02 of the statutes is repealed.

20 **SECTION 481.** 238.03 (title) of the statutes is renumbered 235.03 (title) and
21 amended to read:

22 **235.03 (title) Duties of board the authority concerning economic**
23 **development.**

24 **SECTION 482.** 238.03 (1) of the statutes is repealed.

1 SECTION 483. 238.03 (2) of the statutes is renumbered 235.03 (2), and 235.03
2 (2) (intro.) and (c), as renumbered, are amended to read:

3 235.03 (2) (intro.) For each program developed and implemented by the board
4 authority under this subchapter, the board authority shall do all of the following:

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

10 SECTION 484. 238.03 (3) of the statutes is renumbered 235.03 (3), and 235.03
11 (3) (intro.), (a) and (b) (intro.), as renumbered, are amended to read:

12 235.03 (3) (intro.) The board authority shall require for each economic
13 development program developed and implemented by the board authority all of the
14 following:

15 (a) That each recipient of a grant or loan under the program of ~~at least \$100,000~~
16 submit to the ~~corporation~~ authority, within 120 days after the end of the recipient's
17 fiscal year in which any grant or loan funds were expended, or at a different time as

18 provided in policies and procedures approved by the board, ~~a schedule of~~
19 ~~expenditures of the grant or loan funds, including expenditures of any matching cash~~
20 ~~or in-kind match,~~ signed by the director or principal officer of the recipient ~~to attest~~
21 ~~to the accuracy of the schedule of expenditures.~~ The recipient shall engage an

22 independent certified public accountant to perform procedures, approved by the
23 corporation and consistent with applicable professional standards of the American
24 Institute of Certified Public Accountants, to determine whether the grant or loan
25 funds and any matching cash or in-kind match were expended in accordance with

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The attestation shall verify that the grant or loan funds and any matching cash or in-kind match were expended in

1 the grant or loan contract. The board shall also require the recipient of such a grant
2 or loan to make available for inspection the documents supporting the schedule of
3 expenditures. The board shall include the requirements under this paragraph in the
4 contract with grant or loan recipients.

5 (b) (intro.) That the board authority, if a recipient of a grant or loan under the
6 program submits false or misleading information to the ~~corporation~~ authority or fails
7 to comply with the terms of a contract entered into with the ~~corporation~~ authority,
8 without providing satisfactory explanation for the noncompliance, do all of the
9 following:

10 SECTION 485. 238.04 of the statutes is repealed.

11 SECTION 486. 238.045 of the statutes is repealed.

12 SECTION 487. 238.046 of the statutes is renumbered 235.014, and 235.014 (1)
13 and (2), as renumbered, are amended to read:

14 235.014 (1) A member of the board or an employee of the ~~corporation~~ authority
15 to whom the board delegates its authority to contract shall notify the ~~corporation's~~
16 authority's legal counsel or, if the ~~corporation's~~ legal counsel is unavailable, the chief
17 executive officer of the ~~corporation~~ authority if the member or employee has a direct
18 or indirect, private, pecuniary interest in a contract that is being negotiated, bid for,
19 or entered into with the ~~corporation~~ authority. If the ~~corporation's~~ authority's legal
20 counsel or chief executive officer is notified under this section, he or she shall report
21 the name of the individual from whom he or she received the notification and the
22 contract in which the individual has a private, pecuniary interest to the board. A
23 member or employee who notifies the ~~corporation's~~ authority's legal counsel or chief
24 executive officer under this section is not authorized to participate in the member's
25 or employee's capacity as a member of the board or an employee of the ~~corporation~~

accordance with the grant or loan contract ~~in~~ plain period

1 authority in the making of the contract or to perform in regard to the contract some
2 official function requiring the exercise of discretion on the member's or employee's
3 part.

4 (2) An employee of the ~~corporation~~ authority shall notify the ~~corporation's~~
5 authority's legal counsel or, if the ~~corporation's~~ legal counsel is unavailable, the chief
6 executive officer of the ~~corporation~~ authority if the employee has a controlling
7 interest in an entity that is negotiating, bidding for, or entering into a contract with
8 the ~~corporation~~ authority. If the ~~corporation's~~ authority's legal counsel or chief
9 executive officer is notified under this section, he or she shall report the name of the
10 individual from whom he or she received the notification and the contract at issue
11 to the board. The board shall prohibit the ~~corporation~~ authority from entering into
12 any contract with an entity in which an employee of the ~~corporation~~ authority has
13 a controlling interest.

14 SECTION 488. 238.05 of the statutes is repealed.

15 SECTION 489. 238.06 of the statutes is renumbered 235.015 and amended to
16 read:

17 **235.015 Liability limited.** Neither the state nor any political subdivision of
18 the state, nor any officer, employee, or agent of the state or a political subdivision of
19 the state who is acting within the scope of employment or agency, is liable for any
20 debt, obligation, act, or omission of the ~~corporation~~ authority.

21 SECTION 490. 238.07 of the statutes is renumbered 235.016, and 235.016 (1),
22 (2) (intro.), (3) and (4), as renumbered, are amended to read:

23 235.016 (1) Annually, by ~~January~~ October 1, the ~~board~~ authority shall submit
24 to the chief clerk of each house of the legislature, for distribution to the legislature
under s. 13.172 (2), a report identifying the economic development, loan guarantee,