

****NOTE: This is reconciled s. 76.637 (2). This SECTION has been affected by drafts with the following LRB numbers: -1018/P1 and -1215/P2.

1 **SECTION 317.** 76.637 (3) of the statutes is amended to read:

2 76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the
3 insurer includes with the insurer's annual return under s. 76.64 a copy of the
4 claimant's certification under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701
5 (2), 2009 stats., and a copy of the claimant's notice of eligibility to receive tax benefits
6 under s. 235.303 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

7 **SECTION 318.** 76.637 (4) of the statutes is amended to read:

8 76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under s.
9 235.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if an insurer becomes
10 ineligible for tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702,
11 2009 stats., the insurer may not claim credits under this section for the taxable year
12 that includes the day on which the certification is revoked; the taxable year that
13 includes the day on which the insurer becomes ineligible for tax benefits; or
14 succeeding taxable years and the insurer may not carry over unused credits from
15 previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67
16 for the taxable year that includes the day on which certification is revoked; the
17 taxable year that includes the day on which the insurer becomes ineligible for tax
18 benefits; or succeeding taxable years.

19 **SECTION 319.** 76.638 (1) of the statutes is amended to read:

20 76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment
21 fund manager certified under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205
22 (2), 2009 stats.

23 **SECTION 320.** 76.638 (2) of the statutes is amended to read:

1 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
2 subject to the limitations provided under this subsection and s. 235.15 or s. 238.15,
3 2013 stats., or s. 560.205, 2009 stats., an insurer may claim as a credit against the
4 fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's
5 investment paid to a fund manager that the fund manager invests in a business
6 certified under s. 235.15 or s. 238.15, 2013 stats., or s. 560.205 (1), 2009 stats.

7 **SECTION 321.** 77.54 (9a) (a) of the statutes is amended to read:

8 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
9 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the
10 Wisconsin Aerospace Authority, the ~~Wisconsin Economic Development Corporation~~
11 Forward Wisconsin Development Authority, and the Fox River Navigational System
12 Authority.

 ****NOTE: This is reconciled s. 77.54 (9a) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0971/P4 and -1215/P2.

13 **SECTION 322.** 79.04 (7) (a) of the statutes is amended to read:

14 79.04 (7) (a) Beginning with payments in 2005, if a production plant, as
15 described in sub. (6) (a), other than a nuclear-powered production plant, is built on
16 the site of, or on a site adjacent to, an existing or decommissioned production plant;
17 or is built on a site purchased by a public utility before January 1, 1980, that was
18 identified in an advance plan as a proposed site for a production plant; or is built on,
19 or on a site adjacent to, brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or s. 560.13
20 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at
21 least one megawatt, each municipality and county in which such a production plant
22 is located shall receive annually from the public utility account a payment in an

1 amount that is equal to the number of megawatts that represents the production
2 plant's name-plate capacity, multiplied by \$600.

3 **SECTION 323.** 84.01 (6m) (b) (intro.) of the statutes is amended to read:

4 84.01 (6m) (b) (intro.) The department, in consultation with the ~~Wisconsin~~
5 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
6 shall do all of the following for each economic development program administered by
7 the department:

8 **SECTION 324.** 84.01 (11m) (a) of the statutes is amended to read:

9 84.01 (11m) (a) The department shall coordinate any economic development
10 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
11 Wisconsin Development Authority.

12 **SECTION 325.** 84.01 (11m) (b) of the statutes is amended to read:

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

22 **SECTION 326.** 85.25 (2) (a) of the statutes is amended to read:

23 85.25 (2) (a) "Business development organization" means the Forward
24 ~~Wisconsin Housing and Economic Development Authority~~ created under s. ~~234.02~~
25 235.011 or any private organization that prepares business and loan plans for and

1 provides other financial, management, and technical assistance to disadvantaged
2 businesses.

3 **SECTION 327.** 93.07 (3) of the statutes is amended to read:

4 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
5 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
6 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
7 campaigns of education throughout the United States and in foreign markets. Such
8 campaigns shall include the distribution of educational and advertising material
9 concerning Wisconsin and its plant, animal, food, and dairy products. The
10 department shall coordinate efforts by the state to advertise and promote
11 agricultural products of this state, with the ~~Wisconsin Economic Development~~
12 ~~Corporation~~ Forward Wisconsin Development Authority where appropriate. The
13 department shall submit its request and plan for market development program
14 expenditures for each biennium with its biennial budget request. The plan shall
15 include the identification and priority of expenditures for each market development
16 program activity.

17 **SECTION 328.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

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

22 **SECTION 329.** 93.07 (20) (a) of the statutes is amended to read:

23 93.07 (20) (a) The department shall coordinate any economic development
24 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
25 Wisconsin Development Authority.

1 **SECTION 330.** 93.07 (20) (b) of the statutes is amended to read:

2 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
3 legislative audit committee and to the appropriate standing committees of the
4 legislature under s. 13.172 (3) a comprehensive report assessing economic
5 development programs, as defined in sub. (18) (a), administered by the department.
6 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
7 The department shall collaborate with the ~~Wisconsin Economic Development~~
8 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
9 to the public on an Internet-based system the information required under this
10 subsection.

11 **SECTION 331.** 93.33 (5) (intro.) of the statutes is amended to read:

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

25 **SECTION 332.** 93.42 (5) of the statutes is amended to read:

1 93.42 (5) Cooperating with the ~~Wisconsin Economic Development Corporation~~
2 Forward Wisconsin Development Authority in promoting the state's products
3 through the state's foreign trade offices.

4 **SECTION 333.** 100.45 (1) (dm) of the statutes is amended to read:

5 100.45 (1) (dm) "State agency" means any office, department, agency,
6 institution of higher education, association, society, or other body in state
7 government created or authorized to be created by the constitution or any law which
8 is entitled to expend moneys appropriated by law, including the legislature and the
9 courts, ~~the Wisconsin Housing and Economic Development Authority~~, the Bradley
10 Center Sports and Entertainment Corporation, the University of Wisconsin
11 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the
12 Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace
13 Authority, the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
14 Development Authority, and the Fox River Navigational System Authority.

 ****NOTE: This is reconciled s. 100.45 (1) (dm). This SECTION has been affected by
drafts with the following LRB numbers: -0971/P4 and -1215/P2.

15 **SECTION 334.** 106.16 (2) of the statutes is amended to read:

16 106.16 (2) Any company that receives a loan or grant from a state agency or
17 an authority under ch. 231 ~~or 234~~ shall notify the department and the local workforce
18 development board established under 29 USC 2832, of any position in the company
19 that is related to the project for which the grant or loan is received to be filled in this
20 state within one year after receipt of the loan or grant. The company shall provide
21 this notice at least 2 weeks prior to advertising the position.

22 **SECTION 335.** 106.16 (3) of the statutes is repealed.

23 **SECTION 336.** 106.27 (2m) of the statutes is amended to read:

1 106.27 **(2m)** CONSULTATION. The department shall consult with the technical
2 college system board and the ~~Wisconsin Economic Development Corporation~~
3 Forward Wisconsin Development Authority in implementing this section.

4 **SECTION 337.** 109.09 (2) (c) 1. a. of the statutes is amended to read:

5 109.09 **(2)** (c) 1. a. “Commercial lending institution” has the meaning given for
6 “financial institution” in s. ~~234.01~~ 235.40 (5k).

7 **SECTION 338.** 114.31 (6) of the statutes is amended to read:

8 114.31 **(6)** TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
9 as is reasonably possible, offer the engineering or other technical service of the
10 department, to any municipality desiring them in connection with the construction,
11 maintenance or operation or proposed construction, maintenance or operation of an
12 airport. The secretary may assess reasonable costs for services including services
13 performed while acting as agent for a municipality. Such assessment shall include
14 properly allocated administrative costs. Municipalities are authorized to cooperate
15 with the secretary in the development of aeronautics and aeronautical facilities in
16 this state. The ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
17 Development Authority and all agencies are authorized and directed to make
18 available such facilities and services, and to cooperate as far as possible to promote
19 the best interests of aeronautics of the state.

20 **SECTION 339.** 196.49 (4) of the statutes is amended to read:

21 196.49 **(4)** The commission may not issue a certificate under sub. (1), (2), or (3)
22 for the construction of electric generating equipment and associated facilities unless
23 the commission determines that brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or
24 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

25 **SECTION 340.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

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

5 **SECTION 341.** 196.491 (3) (d) 8. of the statutes is amended to read:

6 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
7 in s. ~~238.13~~ 235.13 (1) (a), are used to the extent practicable.

8 **SECTION 342.** 224.71 (1br) (intro.) of the statutes is amended to read:

9 224.71 (1br) (intro.) “Bona fide nonprofit organization” means an organization
10 that is described in section 501 (c) (3) of the Internal Revenue Code and exempt from
11 federal income tax under section 501 (a) of the Internal Revenue Code, that is
12 certified by the federal department of housing and urban development or the
13 Forward Wisconsin Housing and Economic Development Authority, and that does all
14 of the following:

15 **SECTION 343.** 230.03 (3) of the statutes, as affected by 2013 Wisconsin Act 20,
16 is amended to read:

17 230.03 (3) “Agency” means any board, commission, committee, council, or
18 department in state government or a unit thereof created by the constitution or
19 statutes if such board, commission, committee, council, department, unit, or the
20 head thereof, is authorized to appoint subordinate staff by the constitution or
21 statute, except the Board of Regents of the University of Wisconsin System, a
22 legislative or judicial board, commission, committee, council, department, or unit
23 thereof or an authority created under subch. II of ch. 114 or under ch. 231, 232, 233,
24 ~~234~~ 235, 237, ~~238~~, or 279. “Agency” does not mean any local unit of government or

1 body within one or more local units of government that is created by law or by action
2 of one or more local units of government.

3 **SECTION 344.** Chapter 234 (title) of the statutes is repealed.

4 **SECTION 345.** Subchapter I (title) of chapter 234 [precedes 234.01] of the
5 statutes is renumbered subchapter IV (title) of chapter 235 [precedes 235.40] and
6 amended to read:

7 **CHAPTER 235**

8 **SUBCHAPTER IV**

9 ~~GENERAL PROVISIONS; HOUSING AND~~

10 ~~ECONOMIC DEVELOPMENT PROGRAMS~~

11 **SECTION 346.** 234.01 (intro.) of the statutes is renumbered 235.40 (intro.) and
12 amended to read:

13 **235.40 Definitions.** (intro.) In this ~~chapter~~ subchapter:

14 **SECTION 347.** 234.01 (1) of the statutes is repealed.

15 **SECTION 348.** 234.01 (2) of the statutes is repealed.

16 **SECTION 349.** 234.01 (3) of the statutes is repealed.

17 **SECTION 350.** 234.01 (3m) of the statutes is renumbered 235.40 (3m) and
18 amended to read:

19 235.40 (3m) “Collateral” means a 3rd-party note, mortgage, guaranty,
20 insurance policy, bond, letter of credit, security agreement, or other instrument
21 securing the repayment of ~~an economic development loan or a mortgage loan.~~

22 **SECTION 351.** 234.01 (4) of the statutes is renumbered 235.40 (4).

23 **SECTION 352.** 234.01 (4m) of the statutes is repealed.

24 **SECTION 353.** 234.01 (4n) of the statutes is repealed.

25 **SECTION 354.** 234.01 (5) of the statutes is renumbered 235.40 (5).

1 **SECTION 355.** 234.01 (5k) of the statutes is renumbered 235.40 (5k).

2 **SECTION 356.** 234.01 (5m) of the statutes is renumbered 235.40 (5m) and
3 amended to read:

4 235.40 (5m) “Homeownership mortgage loan” has the meaning given under s.
5 ~~234.59~~ 235.59 (1) (f).

6 **SECTION 357.** 234.01 (6) of the statutes is renumbered 235.40 (6), and 235.40
7 (6) (a) and (b), as renumbered, are amended to read:

8 235.40 (6) (a) If the corporation receives any loan or advance from the authority
9 under this ~~chapter~~ subchapter, it may enter into an agreement with the authority
10 providing for regulation with respect to rents, profits, dividends, and disposition of
11 property or franchises; ~~and~~.

12 (b) If the corporation receives a loan or advance under this ~~chapter~~ subchapter,
13 the chairperson of the board of the authority, or his or her designee, acting with the
14 prior approval of the ~~majority of the members of the authority~~ board, may, if he or
15 she determines that any such loan or advance is in jeopardy of not being repaid, that
16 the proposed development for which such loan or advance was made is in jeopardy
17 of not being constructed, or that the corporation is not carrying out the intent and
18 purposes of this ~~chapter~~ subchapter, appoint to the board of directors of such
19 corporation a number of new directors, which number shall be sufficient to constitute
20 a majority of such that board of directors, notwithstanding any other provision of
21 such articles of incorporation or of any other provision of law.

22 **SECTION 358.** 234.01 (7) of the statutes is renumbered 235.40 (7).

23 **SECTION 359.** 234.01 (7m) of the statutes is renumbered 235.40 (7m) and
24 amended to read:

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

3 **SECTION 360.** 234.01 (8) of the statutes is renumbered 235.40 (8), and 235.40
4 (8) (a) and (b), as renumbered, are amended to read:

5 235.40 (8) (a) As a condition of acceptance of a loan or advance under this
6 ~~chapter~~ subchapter, the limited-profit entity shall enter into an agreement with the
7 authority providing for limitations of rents, profits, dividends, and disposition of
8 property or franchises; ~~and.~~

9 (b) If the limited-profit entity receives a loan or advance under this ~~chapter~~
10 subchapter, the chairperson of the board of directors of the authority, or his or her
11 designee, acting with the prior approval of the ~~majority of members of the authority~~
12 board, may, if he or she determines that any such loan or advance is in jeopardy of
13 not being repaid, that the proposed development for which such loan or advance was
14 made is in jeopardy of not being constructed, or that the limited-profit entity is
15 otherwise not carrying out the intent and purposes of this ~~chapter~~ subchapter,
16 appoint to the board of directors or other comparable controlling body of such
17 limited-profit entity a number of new directors or persons, which number shall be
18 sufficient to constitute a voting majority of such board or controlling body,
19 notwithstanding any other provisions of the limited-profit entity’s articles of
20 incorporation or other documents of organization, or of any other provisions of law.

21 **SECTION 361.** 234.01 (9) of the statutes is renumbered 235.40 (9), and 235.40
22 (9) (a) 5., as renumbered, is amended to read:

23 235.40 (9) (a) 5. That if the corporation receives a loan or advance under this
24 ~~chapter~~ subchapter, the chairperson of the board of directors of the authority, or his
25 or her designee, acting with the prior approval of the ~~majority of the members of the~~

1 ~~authority board~~, may, on determination that any such loan or advance is in jeopardy
2 of not being repaid, that the proposed development for which such loan or advance
3 was made is in jeopardy of not being constructed, that some part of the net income
4 or net earnings of the corporation is inuring to the benefit of any private person, that
5 the corporation is in some manner controlled or under the direction of or acting in
6 the substantial interest of any private person seeking to derive benefit or gain
7 therefrom or seeking to eliminate or minimize losses in any dealings or transactions
8 therewith, or that the corporation is not carrying out the intent and purposes of this
9 ~~chapter subchapter~~, appoint to the board of directors of such corporation a number
10 of new directors, which number shall be sufficient to constitute a majority of such
11 board, notwithstanding any other provisions of such articles of incorporation or of
12 any other provisions of law.

13 **SECTION 362.** 234.01 (10) of the statutes is renumbered 235.40 (10) and
14 amended to read:

15 235.40 (10) “Persons and families of low and moderate income” means persons
16 and families who cannot afford to pay the amounts at which private enterprise,
17 without ~~federally-aided~~ federally aided mortgages or loans from the authority, can
18 provide a substantial supply of decent, safe and sanitary housing and who fall within
19 income limitations set by the authority in its rules policies and procedures. In
20 determining such income limitations the authority shall consider the amounts of the
21 total income of such persons available for housing needs, the size of the family, the
22 cost and condition of available housing facilities, standards established for various
23 federal programs, and any other factors determined by the authority to be
24 appropriate in arriving at such limitations. Among low- or moderate-income

1 persons and families, preference shall be given to those displaced by governmental
2 action.

3 **SECTION 363.** 234.02 of the statutes is repealed.

4 **SECTION 364.** 234.03 of the statutes is repealed.

5 **SECTION 365.** 234.032 of the statutes is repealed.

6 **SECTION 366.** 234.034 of the statutes is renumbered 235.401.

7 **SECTION 367.** 234.04 of the statutes is renumbered 235.402, and 235.402 (2),
8 as renumbered, is amended to read:

9 **235.402 (2)** The authority may make or participate in the making and enter
10 into commitments for the making of long-term mortgage loans to eligible sponsors
11 of housing projects for occupancy by persons and families of low and moderate
12 income, or for the making of homeownership mortgage loans or housing
13 rehabilitation loans or loans for the refinancing of qualified subprime loans under
14 s. ~~234.592~~ 235.592 to persons and families of low and moderate income, an applicant
15 under s. ~~234.59~~ or ~~234.592~~ 235.59 to 235.592, or other eligible beneficiaries as defined
16 in s. ~~234.49~~ 235.49. The loans may be made only upon the determination by the
17 authority that they are not otherwise available from private lenders upon reasonably
18 equivalent terms and conditions. The authority may not make a loan to a person
19 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
20 unless the person provides to the authority a payment agreement that has been
21 approved by the county child support agency under s. 59.53 (5) and that is consistent
22 with rules promulgated under s. 49.858 (2) (a). The authority may employ, for such
23 compensation as it determines, the services of any financial institution in connection
24 with any loan.

25 **SECTION 368.** 234.05 of the statutes is renumbered 235.403.

1 **SECTION 369.** 234.06 of the statutes is renumbered 235.404.

2 **SECTION 370.** 234.07 of the statutes is renumbered 235.405, and 235.405 (1),
3 as renumbered, is amended to read:

4 235.405 (1) Except as provided in sub. (2), a limited-profit entity ~~which~~ that
5 receives loans from the authority may not make distributions, other than from funds
6 contributed to the limited-profit entity by stockholders, partners, members, or
7 holders of beneficial interest in the limited-profit entity, in any one year with respect
8 to a project financed by the authority in excess of 6% of its equity in such project on
9 a cumulative basis. The equity in a project shall consist of the difference between the
10 amount of the mortgage loan and the total project cost. Total project cost shall
11 include construction or rehabilitation costs including job overhead and a builder's
12 and sponsor's profit and risk fee, architectural, engineering, legal, and accounting
13 costs, organizational expenses, land value, interest, and financing charges paid
14 during construction, the cost of landscaping and off-site improvements, whether or
15 not such costs have been paid in cash or in a form other than cash. With respect to
16 every project the authority shall, pursuant to ~~rules~~ policies and procedures adopted
17 by it, establish the entity's equity at the time of making of the final mortgage advance
18 and, for purposes of this section, that figure shall remain constant during the life of
19 the authority's loan with respect to such project. Upon the dissolution of the
20 limited-profit entity any surplus in excess of the distributions allowed by this section
21 shall be paid to the authority. For this purpose surplus shall not be deemed to include
22 any increase in net worth of any limited-profit entity by reason of a reduction of
23 mortgage indebtedness, by amortization or similar payments or by reason of the sale
24 or disposition of any assets of a limited-profit entity to the extent such surplus can
25 be attributed to any increase in market value of any real or tangible personal

1 property accruing during the period the assets were owned and held by the
2 limited-profit entity.

3 **SECTION 371.** 234.08 (title) of the statutes is renumbered 235.02 (title).

4 **SECTION 372.** 234.08 (1) of the statutes is renumbered 235.02 (1) and amended
5 to read:

6 235.02 (1) The authority may issue its negotiable notes and bonds in such
7 principal amount, as, in the opinion of the authority, is necessary to provide sufficient
8 funds for achieving its corporate purposes, ~~including the purchase of certain~~
9 ~~mortgages and securities and the making of secured loans for low- and~~
10 ~~moderate-income housing, for the rehabilitation of existing structures and for the~~
11 ~~construction of facilities appurtenant thereto as provided in this chapter; for the~~
12 ~~making of secured loans to assist eligible elderly homeowners in paying property~~
13 ~~taxes and special assessments; for the payment of interest on notes and bonds of the~~
14 ~~authority during construction; for the establishment of reserves to secure such notes~~
15 ~~and bonds; for the provision of moneys for the housing development fund in order to~~
16 ~~make temporary loans to sponsors of housing projects as provided in this chapter;~~
17 ~~and for all other expenditures of the authority incident to and necessary or~~
18 ~~convenient to carry out its corporate purposes and powers.~~

19 **SECTION 373.** 234.08 (2) of the statutes is renumbered 235.02 (2).

20 **SECTION 374.** 234.08 (3) of the statutes is renumbered 235.02 (3).

21 **SECTION 375.** 234.08 (4) of the statutes is renumbered 235.02 (4).

22 **SECTION 376.** 234.08 (5) of the statutes is repealed.

23 **SECTION 377.** 234.08 (6) of the statutes is repealed.

24 **SECTION 378.** 234.08 (7) of the statutes is renumbered 235.02 (7).

1 **SECTION 379.** 234.09 of the statutes is renumbered 235.021 and amended to
2 read:

3 **235.021 Same Notes and bonds; authorization; terms.** The authority's
4 notes and bonds shall be authorized by resolution of the members of the authority
5 board; shall bear such date or dates, and shall mature at such time or times, in the
6 case of any note, or any renewal thereof, not exceeding 5 years, from the date of issue
7 of such original note, and in the case of any bond not exceeding 50 years from the date
8 of issue, as the resolution provides. The notes and bonds shall bear interest at such
9 rate or rates, be in such denominations of \$1,000 or more, be in such form, either
10 coupon or registered, carry such registration privileges, be executed in such manner,
11 be payable in such medium of payment, at such place and be subject to such terms
12 of redemption as the resolution provides. The bonds may be issued as serial bonds
13 payable in annual installments or as term bonds or as a combination thereof. The
14 notes and bonds of the authority may be sold by the authority, at public or private
15 sale, at the price determined by the authority.

16 **SECTION 380.** 234.10 of the statutes is renumbered 235.0215, and 235.0215
17 (title) and (9), as renumbered, are amended to read:

18 **235.0215 (title) Same Notes and bonds; resolution authorizing**
19 **issuance, contents.**

20 **(9)** Vesting in a trustee such property, rights, powers, and duties in trust as the
21 authority determines, which may include any or all of the rights, powers, and duties
22 of the trustee appointed by the noteholders or bondholders pursuant to s. ~~234.20~~
23 235.0265 and limiting or abrogating the right of the noteholders or bondholders to
24 appoint a trustee under s. ~~234.20~~ 235.0265 or limiting the rights, powers, and duties
25 of such trustee, in which event s. ~~234.20~~ 235.0265 shall not apply.

1 **SECTION 381.** 234.11 of the statutes is renumbered 235.022 and amended to
2 read:

3 **235.022 Same Notes and bonds; validity and effect of pledge.** Any pledge
4 made by the authority shall be valid and binding from the time when the pledge is
5 made; the moneys or property so pledged and thereafter received by the authority
6 shall immediately be subject to the lien of such pledge without any physical delivery
7 thereof or further act; and the lien of any such pledge shall be valid and binding as
8 against all parties having claims of any kind in tort, contract, or otherwise against
9 the authority, irrespective of whether such parties have notice thereof. Neither the
10 resolution nor any other instrument by which a pledge is created need be recorded.

11 **SECTION 382.** 234.12 of the statutes is renumbered 235.0225 and amended to
12 read:

13 **235.0225 Same Notes and bonds; personal liability of members of**
14 **authority.** Neither the members of the authority board, nor the members of a
15 committee established by the board, nor any person executing the notes or bonds
16 shall be liable personally on the notes or bonds or be subject to any personal liability
17 or accountability by reason of the issuance thereof.

18 **SECTION 383.** 234.13 of the statutes is renumbered 235.023, and 235.023 (title),
19 as renumbered, is amended to read:

20 **235.023 (title) Same Notes and bonds; purchase for cancellation.**

21 **SECTION 384.** 234.14 of the statutes is renumbered 235.0235, and 235.0235
22 (title), as renumbered, is amended to read:

23 **235.0235 (title) Same Notes and bonds; liability of state.**

24 **SECTION 385.** 234.15 of the statutes is renumbered 235.024.

25 **SECTION 386.** 234.16 of the statutes is renumbered 235.0245.

1 **SECTION 387.** 234.165 of the statutes is renumbered 235.025, and 235.025 (2)
2 (dm), as renumbered, is amended to read:

3 235.025 (2) (dm) The authority shall allocate a portion of its surplus in a plan
4 prepared under par. (b) to the property tax deferral loan program under ss. ~~234.621~~
5 ~~to 234.626~~ 235.621 to 235.626.

6 **SECTION 388.** 234.17 of the statutes is repealed.

7 **SECTION 389.** 234.18 of the statutes is renumbered 235.0255 and amended to
8 read:

9 **235.0255 Limit on amount of outstanding bonds and notes.** The
10 authority may not issue notes and bonds that are secured by a capital reserve fund
11 to which s. ~~234.15~~ 235.024 (4) applies if, upon issuance, the total aggregate
12 outstanding principal amount of notes and bonds that are secured by a capital
13 reserve fund to which s. ~~234.15~~ 235.024 (4) applies would exceed \$600,000,000. This
14 section does not apply to bonds and notes issued to refund outstanding notes and
15 bonds.

16 **SECTION 390.** 234.19 of the statutes is renumbered 235.026.

17 **SECTION 391.** 234.20 of the statutes is renumbered 235.0265.

18 **SECTION 392.** 234.21 of the statutes is renumbered 235.027 and amended to
19 read:

20 **235.027 Trustee; additional powers.** The trustee, in addition to the powers
21 granted in s. ~~234.20~~ 235.0265 shall have all of the powers necessary or appropriate
22 for the exercise of any functions specifically set forth in this chapter or incident to
23 the general representation of noteholders or bondholders in the enforcement and
24 protection of their rights.

1 **SECTION 393.** 234.22 of the statutes is renumbered 235.0271 and amended to
2 read:

3 **235.0271 Venue.** The venue of any action or proceeding by the trustee under
4 ss. ~~234.19, 234.20 and 234.21~~ 235.026, 235.0265, and 235.027 shall be in Dane
5 County.

6 **SECTION 394.** 234.23 of the statutes is renumbered 235.0273.

7 **SECTION 395.** 234.24 of the statutes is renumbered 235.0275.

8 **SECTION 396.** 234.25 of the statutes is repealed.

9 **SECTION 397.** 234.255 of the statutes is repealed.

10 **SECTION 398.** 234.26 of the statutes is renumbered 235.0277.

11 **SECTION 399.** 234.265 of the statutes is renumbered 235.0279 and amended to
12 read:

13 **235.0279 Records of the authority.** All records of the authority or any
14 corporation established by the authority shall be open to the public as provided in
15 s. 19.35 (1), except:

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

20 (2) Records or portions of records consisting of personal or financial
21 information provided by a person seeking a grant ~~or~~, loan ~~under s. 234.63, 2007~~
22 ~~stats., or s. 234.04, 234.08, 234.49, 234.59, 234.592, 234.605, 234.61, 234.65, 234.67,~~
23 ~~234.83, 234.84, 234.90, 234.905, 234.907, or 234.91, seeking a loan under ss. 234.621~~
24 ~~to 234.626, seeking financial assistance under s. 234.66, 2005 stats., seeking~~
25 ~~mortgage loan refinancing from a lender under s. 234.605, seeking investment of~~

1 ~~funds under s. 234.03 (18m), or in which the authority has invested funds under s.~~
2 ~~234.03 (18m), unless the person consents to disclosure of the information, tax credit,~~
3 ~~or other assistance from the authority.~~

4 **SECTION 400.** 234.28 of the statutes is renumbered 235.028.

5 **SECTION 401.** 234.29 of the statutes is renumbered 235.0283.

6 **SECTION 402.** 234.30 of the statutes is renumbered 235.0285.

7 **SECTION 403.** 234.31 of the statutes is renumbered 235.0287.

8 **SECTION 404.** 234.32 of the statutes is renumbered 235.0289.

9 **SECTION 405.** 234.40 of the statutes is renumbered 235.409, and 235.409 (2),
10 (3) and (4), as renumbered, are amended to read:

11 235.409 (2) Bonds issued under the authority of this section are payable out
12 of revenues or moneys received from the repayment of veterans housing loans and
13 related funds made available in ss. ~~234.42~~ 235.42 and ~~234.43~~ 235.43. All assets and
14 liabilities created through the issuance of bonds to purchase mortgage loans
15 representing veterans housing loans are to be separate from all other assets and
16 liabilities of the authority. No funds of the veterans housing loan program may be
17 commingled with any other funds of the authority.

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

23 (4) The limitations established in ss. ~~234.18, 234.50, 234.60, 234.61, and 234.65~~
24 235.0255, 235.50, 235.60, and 235.61 are not applicable to bonds issued under the
25 authority of this section. The authority may not have outstanding at any one time

1 bonds for veterans housing loans in an aggregate principal amount exceeding
2 \$61,945,000, excluding bonds being issued to refund outstanding bonds.

3 **SECTION 406.** 234.41 of the statutes is renumbered 235.41, and 235.41 (3), as
4 renumbered, is amended to read:

5 235.41 (3) Moneys of the veterans housing loan fund may be invested as
6 provided in ~~s. 234.03 (18) policies and procedures established by the authority.~~ All
7 such investments shall be the exclusive property of the fund. All earnings on or
8 income from such investments shall be credited to the fund, paid over to the
9 department of veterans affairs and deposited in the veterans trust fund after
10 payment or repayment of any deficits arising in the veterans capital reserve fund and
11 after payment of expenses contained in sub. (4).

12 **SECTION 407.** 234.42 of the statutes is renumbered 235.42, and 235.42 (1s) and
13 (4), as renumbered, are amended to read:

14 235.42 (1s) The authority shall establish the veterans capital reserve fund to
15 secure the veterans housing bonds sold pursuant to s. ~~234.40~~ 235.409, and shall pay
16 into the veterans capital reserve fund any moneys appropriated and made available
17 by the state for the purposes of such fund, any proceeds of sale of bonds, to the extent
18 provided in the resolution of the authority authorizing the issuance thereof and any
19 other moneys which are made available to the authority for the purpose of such fund
20 from any other source.

21 (4) To assure the continued operation and solvency of the authority for the
22 carrying out of the veterans housing loan program of this ~~chapter~~ subchapter, the
23 authority shall accumulate in the veterans capital reserve fund an amount equal to
24 the veterans capital reserve fund requirement. If at any time the veterans capital
25 reserve fund requirement exceeds the amount of the veterans capital reserve fund,

1 the chairperson of the authority shall certify to the secretary of administration, the
2 governor and the joint committee on finance, the amount necessary to restore the
3 veterans capital reserve fund to an amount equal to the veterans capital reserve fund
4 requirement. If such certification is received by the secretary of administration in
5 an even-numbered year prior to the completion of the budget compilation under s.
6 16.43, the secretary shall include the certified amount in the budget compilation. In
7 any case, the joint committee on finance shall introduce in either house, in bill form,
8 an appropriation of the amount so certified to the veterans capital reserve fund of the
9 authority. Recognizing its moral obligation to do so, the legislature hereby expresses
10 its expectation and aspiration that, if ever called upon to do so, it shall make such
11 appropriation.

12 **SECTION 408.** 234.43 of the statutes is renumbered 235.43, and 235.43 (1), as
13 renumbered, is amended to read:

14 235.43 (1) The authority shall establish the veterans housing bond redemption
15 fund. All mortgages purchased with moneys from the veterans housing loan fund
16 shall be the exclusive property of the bond redemption fund. All moneys received by
17 the authority from the repayment of veterans housing loans shall be deposited into
18 such fund to be used for the repayment of veterans housing bonds issued pursuant
19 to s. ~~234.40~~ 235.409.

20 **SECTION 409.** 234.44 of the statutes is renumbered 235.44 and amended to
21 read:

22 **235.44 Validation of certain obligations and proceedings.**
23 Notwithstanding any provision of this chapter or any other law, in the absence of
24 fraud, all obligations issued prior to May 4, 1976 purportedly pursuant to ~~this~~
25 chapter ch. 234, 2013 stats., and all proceedings prior to such time taken purportedly

1 pursuant to ~~this chapter~~ ch. 234, 2013 stats., for the authorization and issuance of
2 such obligations or of obligations not yet issued, and the sale, execution, and delivery
3 of such obligations issued prior to May 4, 1976, are hereby validated, ratified,
4 approved, and confirmed, notwithstanding any lack of power, however patent, other
5 than constitutional, of the issuing authority or the governing body or officer thereof,
6 to authorize such obligations, or to sell, execute, or deliver the same, and
7 notwithstanding any defects or irregularities, however patent, other than
8 constitutional, in such proceeding or in such sale, execution, or delivery of such
9 obligations. All such obligations issued prior to May 4, 1976 are binding, legal
10 obligations in accordance with their terms.

11 **SECTION 410.** 234.49 of the statutes is renumbered 235.49, and 235.49 (1)
12 (intro.) and (2) (a) (intro.), 6. and 8., as renumbered, are amended to read:

13 235.49 (1) DEFINITIONS. (intro.) In ss. ~~234.49~~ 235.49 to ~~234.55~~ 235.55:

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

17 6. To enter into contracts or agreements with authorized lenders and sponsors
18 providing for the maximum and minimum acceptable rates of interest to be charged
19 for various classifications of housing rehabilitation loans. In no event may the stated
20 rate of interest on any housing rehabilitation loan under this section exceed the
21 greater of 8% per year or 3% plus the rate necessary to fully repay interest and
22 principal on housing rehabilitation loan program bonds issued pursuant to s. ~~234.50~~
23 235.50.

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

1 **SECTION 411.** 234.50 of the statutes is renumbered 235.50, and 235.50 (1), (2)
2 and (4), as renumbered, are amended to read:

3 235.50 (1) The authority may issue its negotiable bonds in such principal
4 amount and of such length of maturity as, in the opinion of the authority, is necessary
5 to provide sufficient funds for purchasing housing rehabilitation loans or for funding
6 commitments for loans to lenders for housing rehabilitation loans; for purchasing
7 property tax deferral loans under s. ~~234.49~~ 235.49 (2) (a) 10.; for the establishment
8 of reserves to secure such bonds; and for all other expenditures of the authority
9 incident to or necessary and convenient in connection therewith. The authority may,
10 whenever it deems refunding expedient, refund any bonds by the issuance of new
11 bonds whether the bonds to be refunded have or have not matured, and issue bonds
12 partly to refund bonds then outstanding and partly for the purpose authorized by
13 this section.

14 (2) Bonds issued under the authority of this section shall be special obligations
15 of the authority payable solely out of revenues, moneys or other property received in
16 connection with the housing rehabilitation loan program, including, without
17 limitation, repayments of housing rehabilitation loans, federal insurance or
18 guarantee payments, the proceeds of bonds issued under the authority of this
19 section, and the amounts made available under ss. ~~234.54~~ 235.54 and ~~234.55~~ 235.55.
20 All assets and liabilities created through the issuance of bonds to purchase housing
21 rehabilitation loans shall be separate from all other assets and liabilities of the
22 authority. No funds of the housing rehabilitation loan program may be commingled
23 with any other funds of the authority.

24 (4) The limitations established in ss. ~~234.18, 234.40, 234.60, 234.61, and 234.65~~
25 235.0255, 235.409, 235.60, and 235.61 are not applicable to bonds issued under the

1 authority of this section. The authority may not have outstanding at any one time
2 bonds for housing rehabilitation loans in an aggregate principal amount exceeding
3 \$100,000,000, excluding bonds being issued to refund outstanding bonds. The
4 authority shall consult with and coordinate the issuance of bonds with the building
5 commission prior to the issuance of bonds.

6 **SECTION 412.** 234.51 of the statutes is renumbered 235.51, and 235.51 (1), (2)
7 (a) and (3), as renumbered, are amended to read:

8 235.51 (1) There is established under the jurisdiction of the authority a housing
9 rehabilitation loan program administration fund. There shall be paid into such fund
10 the amounts appropriated under s. ~~20.490~~ 20.885 (2) ~~(a) (ad)~~, the amounts provided
11 in s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from other
12 funds or sources and any other moneys which may be available to the authority for
13 the purpose of such fund from any other source.

14 (2) (a) To pay all administrative costs, expenses, and charges, including
15 origination fees and servicing fees, incurred in conducting the housing rehabilitation
16 loan program other than those described in ss. ~~234.53~~ 235.53 (4) and ~~234.55~~ 235.55
17 (2) (b).

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

22 **SECTION 413.** 234.52 of the statutes is renumbered 235.52, and 235.52 (1), (2)
23 and (3), as renumbered, are amended to read:

24 235.52 (1) There is established under the jurisdiction of the authority a housing
25 rehabilitation loan program loan-loss reserve fund. There shall be paid into such

1 fund the amounts appropriated under s. ~~20.490~~ 20.885 (2) (q), the amounts provided
2 under s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from
3 other funds or sources and any other moneys which may be available to the authority
4 for the purposes of such fund from any other source.

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

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

17 SECTION 414. 234.53 of the statutes is renumbered 235.53, and 235.53 (1), (2)
18 and (3), as renumbered, are amended to read:

19 235.53 (1) The authority shall establish the housing rehabilitation loan fund.
20 All moneys resulting from the sale of bonds issued under the authority of s. ~~234.50~~
21 235.50, not including bonds issued to refund outstanding bonds, and unless credited
22 to the housing rehabilitation loan program capital reserve or bond redemption funds,
23 shall be credited to such fund.

24 (2) The authority shall use moneys in the fund for the purpose of purchasing
25 housing rehabilitation loans or for funding commitments for loans to lenders for

1 housing rehabilitation loans. All disbursements of funds under this section for
2 purchasing such loans shall be made payable to an authorized lender as defined in
3 s. ~~234.49~~ 235.49 (1) (b) or a duly authorized agent thereof.

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

8 **SECTION 415.** 234.54 of the statutes is renumbered 235.54, and 235.54 (1r) and
9 (4) (a), as renumbered, are amended to read:

10 235.54 (1r) The authority shall establish the housing rehabilitation loan
11 program capital reserve fund to secure the bonds issued under the authority of s.
12 ~~234.50~~ 235.50, and shall pay into such fund any moneys appropriated and made
13 available by the state for the purposes of such fund, any proceeds of sale of housing
14 rehabilitation bonds to the extent provided in the resolution of the authority
15 authorizing the issuance thereof and any other moneys which are made available to
16 the authority for the purpose of such fund from any other source.

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

21 **SECTION 416.** 234.55 of the statutes is renumbered 235.55, and 235.55 (1) and
22 (4), as renumbered, are amended to read:

23 235.55 (1) The authority shall establish the housing rehabilitation loan
24 program bond redemption fund. All housing rehabilitation loans purchased with
25 moneys from the housing rehabilitation loan fund or notes evidencing loans to

1 lenders from such fund for housing rehabilitation loans shall be the exclusive
2 property of such redemption fund. All moneys received from the repayment of such
3 loans, any amounts transferred by the authority to such fund pursuant to s. ~~234.52~~
4 235.52 or from other funds or sources, any federal insurance or guarantee payments
5 with respect to such loans, all moneys resulting from the sale of bonds for the purpose
6 of refunding outstanding housing rehabilitation bonds unless credited to the housing
7 rehabilitation loan program capital reserve fund, and any other moneys which may
8 be available to the authority for the purpose of such fund, shall be deposited into such
9 fund to be used for the repayment of housing rehabilitation bonds issued under the
10 authority of s. ~~234.50~~ 235.50.

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

15 SECTION 417. ~~234.59~~ of the statutes is renumbered ~~235.59~~, and ~~235.59 (2) (e)~~
16 and (3) (bc) 3., as renumbered, are amended to read:

17 235.59 (2) (e) May enter into agreements to insure or provide additional
18 security for homeownership mortgage loans or bonds or notes issued under s. ~~234.60~~
19 235.60.

20 (3) (bc) 3. If the authority sets aside at least 20% of the proceeds of a bond or
21 note issuance under s. ~~234.60~~ 235.60 to fund home ownership mortgage loans for
22 eligible properties that are targeted area residences, the authority may apply up to
23 33% of the proceeds that are set aside for that purpose without regard to the income
24 of the applicant.

1 **SECTION 418.** 234.592 of the statutes is renumbered 235.592, and 235.592 (1)
2 (a), (b) and (c) and (2) (c), as renumbered, are amended to read:

3 235.592 (1) (a) “Authorized lender” has the meaning given in s. ~~234.59~~ 235.59
4 (1) (a).

5 (b) “Eligible property” has the meaning given in s. ~~234.59~~ 235.59 (1) (d) 1.

6 (c) “Principal residence” has the meaning given in. s. ~~234.59~~ 235.59 (1) (j).

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

9 **SECTION 419.** 234.60 of the statutes is renumbered 235.60, and 235.60 (1), (2),
10 (5) (c) and (9), as renumbered, are amended to read:

11 235.60 (1) The authority may issue its bonds or notes to fund homeownership
12 mortgage loans or the refinancing of qualified subprime loans under s. ~~234.592~~
13 235.592.

14 **(2)** The limitations in ss. ~~234.18, 234.40, 234.50, 234.61, and 234.65~~ 235.0255,
15 235.409, 235.50, and 235.61 do not apply to bonds or notes issued under this section.

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

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

22 **SECTION 420.** 234.605 of the statutes is renumbered 235.605, and 235.605 (1)
23 (a) and (2), as renumbered, are amended to read:

24 235.605 (1) (a) “Eligible property” has the meaning given in s. ~~234.59~~ 235.59
25 (1) (d) 1.

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

5 **SECTION 421.** 234.61 of the statutes is renumbered 235.61, and 235.61 (1), as
6 renumbered, is amended to read:

7 **235.61 (1)** Upon the authorization of the department of health services, the
8 authority may issue bonds or notes and make loans for the financing of housing
9 projects which are residential facilities as defined in s. 46.28 (1) (d) and the
10 development costs of those housing projects, if the department of health services has
11 approved the residential facilities for financing under s. 46.28 (2). The limitations
12 in ss. ~~234.18, 234.40, 234.50, 234.60, and 234.65~~ 235.0255, 235.409, 235.50, and
13 235.60 do not apply to bonds or notes issued under this section. The definition of
14 “nonprofit corporation” in s. ~~234.01~~ 235.40 (9) does not apply to this section.

15 **SECTION 422.** 234.621 of the statutes is renumbered 235.621.

16 **SECTION 423.** 234.622 (intro.) of the statutes is renumbered 235.622 (intro.)
17 and amended to read:

18 **235.622 Definitions.** (intro.) In ss. ~~234.621 to 234.626~~ 235.621 to 235.626:

19 **SECTION 424.** 234.622 (1) of the statutes is renumbered 235.622 (1).

20 **SECTION 425.** 234.622 (2m) of the statutes is repealed.

21 **SECTION 426.** 234.622 (3) of the statutes is renumbered 235.622 (3).

22 **SECTION 427.** 234.622 (3m) of the statutes is renumbered 235.622 (3m).

23 **SECTION 428.** 234.622 (4) of the statutes is renumbered 235.622 (4).

24 **SECTION 429.** 234.622 (5) of the statutes is renumbered 235.622 (5) and
25 amended to read:

1 235.622 (5) “Permitted obligations” means the total amount of outstanding
2 liens and judgments on the qualifying dwelling unit if that amount does not exceed
3 33% of the value of the unit as determined by the most recent assessment for property
4 tax purposes. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, housing and
5 rehabilitation loans under s. ~~234.49~~ 235.49 and liens arising under ss. ~~234.621~~
6 235.621 to ~~234.626~~ 235.626 shall not be considered outstanding liens or judgments
7 in computing the amount of permitted obligations.

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

10 235.622 (6) “Program” means the program under ss. ~~234.621~~ 235.621 to
11 ~~234.626~~ 235.626.

12 **SECTION 431.** 234.622 (7) of the statutes is renumbered 235.622 (7) and
13 amended to read:

14 235.622 (7) “Qualifying dwelling unit” means a dwelling unit, not including a
15 mobile home as defined in s. 101.91 (10), located in this state, habitable as a
16 permanent residence and to which property taxes or special assessments are, or may
17 conveniently be, allocated and up to one acre of land appertaining to it held in the
18 same ownership as the dwelling unit. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~
19 235.626, “qualifying dwelling unit” includes a unit in a condominium or in a
20 cooperative or an unincorporated cooperative association or in a multiunit dwelling
21 with 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
22 assessments allocable to the unit lived in by the participant may qualify for loans
23 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

24 **SECTION 432.** 234.623 of the statutes is renumbered 235.623, and 235.623 (1)
25 and (3), as renumbered, are amended to read:

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

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

9 **SECTION 433.** 234.624 of the statutes is renumbered 235.624.

10 **SECTION 434.** 234.625 of the statutes is renumbered 235.625, and 235.625 (1),
11 (2), (3), (4) (b) 1. and 6., (5), (9) and (10), as renumbered, are amended to read:

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

24 (2) The authority shall have all powers ~~under s. 234.03~~ that are necessary or
25 convenient to the operation of a loan program, including, without limitation because

1 of enumeration, the power to enter into contracts, to pay or be paid for the
2 performance of services, to exercise all rights of a lienholder under subch. I of ch. 779,
3 and to perform other administrative actions that are necessary in the conduct of its
4 duties under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

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

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

13 6. The participant ceases to meet the eligibility requirements of s. ~~234.623~~
14 235.623, except as provided in sub. (5).

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

23 (9) Upon the making of the initial loan, a nonconsensual statutory lien in favor
24 of the authority to secure payment of the principal, interest, fees and charges due on
25 all loans, including loans made after the lien is filed, to the participant made under

1 ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 shall attach to the qualifying dwelling unit
2 in respect to which the loan is made. The qualifying dwelling unit shall remain
3 subject to the statutory lien until the payment in full of all loans and charges. If the
4 authority funds such loans from the proceeds of notes or bonds under s. ~~234.626~~
5 235.626, its right under the lien shall automatically accrue to the benefit of the
6 holders of those notes or bonds, without any action or assignment by the authority.
7 When a loan becomes due and payable, the statutory lien hereby conferred may be
8 enforced by the authority or the holders of the notes or bonds or their representative,
9 as the case may be, in the same manner as a construction lien under ss. 779.09 to
10 779.12, except that neither the participant nor any co-owners or their personal
11 representatives, successors or assigns shall be personally liable for any deficiency
12 which may arise from the sale. At the time of disbursing the initial loan to a
13 participant, the authority shall record with the register of deeds of the county in
14 which the qualifying dwelling unit is located, on a form prescribed by the authority
15 which shall contain a legal description of the qualifying dwelling unit, a notice of the
16 loan made under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 and the existence of the
17 statutory lien arising therefrom. The register of deeds shall record the notice in the
18 land records and index it in the indexes maintained by the register of deeds. The
19 statutory lien created by this section shall have priority over any lien that originates
20 subsequent to the recording of the notice.

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

1 **SECTION 435.** 234.626 of the statutes is renumbered 235.626, and 235.626 (1),
2 (2), (2m), (4), (6) and (7), as renumbered, are amended to read:

3 235.626 (1) Loans made or authorized to be made under ss. ~~234.621~~ 235.621
4 to ~~234.626~~ 235.626 may be funded from the proceeds of notes and bonds issued
5 subject to and in accordance with ss. ~~234.08 to 234.14~~ 235.02 to 235.0235 and from
6 the fund under s. ~~234.165~~ 235.025.

7 (2) The authority may create a system of funds and accounts, separate and
8 distinct from all other funds and accounts of the authority, consisting of moneys
9 received from notes and bonds, all revenues received in the repayment of loans made
10 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, except as provided in sub. (2m), and
11 any other revenues dedicated to it by the authority. The authority may pledge
12 moneys and revenues received or to be received by this system of funds and accounts
13 to secure bonds or notes issued for the program. The authority shall have all other
14 powers necessary and convenient to distribute the proceeds of the bonds, notes, and
15 loan repayments in accordance with its powers under this ~~chapter~~ subchapter.

16 (2m) Revenues received in the repayment of loans made under s. ~~234.165~~
17 235.025 shall be paid into the fund under s. ~~234.165~~ 235.025.

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

23 (6) Unless otherwise expressly provided in resolutions authorizing the
24 issuance of bonds or notes or in other agreements with the holders of bonds or notes,

1 each bond or note issued shall be on a parity with every other bond or note issued for
2 the funding of loans under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

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

7 **SECTION 436.** 234.65 of the statutes is repealed.

8 **SECTION 437.** Subchapter II (title) of chapter 234 [precedes 234.67] of the
9 statutes is renumbered subchapter V of chapter 235 [precedes 235.67].

10 **SECTION 438.** 234.67 of the statutes is renumbered 235.67, and 235.67 (1) (e),
11 (2) (intro.) and (3), as renumbered, are amended to read:

12 235.67 (1) (e) “Participating lender” means a bank, credit union, savings bank,
13 savings and loan association or other person, who makes loans for working capital
14 or to finance physical plant needs, equipment or machinery and who has entered into
15 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

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

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

1 **SECTION 439.** 234.75 of the statutes is renumbered 235.75, and 235.75 (2) (c)
2 and (5) (a) and (c) (intro.), as renumbered, are amended to read:

3 235.75 (2) (c) The lender is the authority or a financial institution that enters
4 into an agreement under s. ~~234.93~~ 235.93 (2) (a).

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

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

14 **SECTION 440.** 234.83 of the statutes is renumbered 235.83, and 235.83 (1m) (c),
15 (3) (intro.) and (4), as renumbered, are amended to read:

16 235.83 (1m) (c) The lender enters into an agreement under s. ~~234.93~~ 235.93 (2)
17 (a).

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

21 (4) **GUARANTEE OF REPAYMENT.** The authority may guarantee repayment of a
22 portion of the principal of any loan eligible for a guarantee under sub. (1m). That
23 portion may not exceed 80% of the principal of the loan or \$750,000, whichever is less.
24 The authority shall establish the portion of the principal of an eligible loan that will
25 be guaranteed, using the procedures described in the agreement under s. ~~234.93~~

1 235.93 (2) (a). The authority may establish a single portion for all guaranteed loans
2 that do not exceed \$937,500 and a single portion for all guaranteed loans that exceed
3 \$937,500 or establish on an individual basis different portions for eligible loans that
4 do not exceed \$937,500 and different portions for eligible loans that exceed \$937,500.

5 **SECTION 441.** 234.84 (title) of the statutes is renumbered 235.84 (title).

6 **SECTION 442.** 234.84 (1) of the statutes is repealed.

7 **SECTION 443.** 234.84 (2) of the statutes is renumbered 235.84 (2), and 235.84
8 (2) (c), as renumbered, is amended to read:

9 235.84 (2) (c) The lender is a financial institution that enters into an agreement
10 under s. ~~234.932~~ 235.932 (3) (a).

11 **SECTION 444.** 234.84 (3) of the statutes is renumbered 235.84 (3), and 235.84
12 (3) (intro.) and (c), as renumbered, are amended to read:

13 235.84 (3) ELIGIBLE LOANS. (intro.) A loan is eligible for guarantee of collection
14 from the Wisconsin job training reserve fund under s. ~~234.932~~ 235.932 if all of the
15 following apply:

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

18 **SECTION 445.** 234.84 (4) of the statutes is renumbered 235.84 (4) and amended
19 to read:

20 235.84 (4) GUARANTEE OF COLLECTION. (a) Subject to par. (b), the authority shall
21 guarantee collection of a percentage of the principal of, and all interest and any other
22 amounts outstanding on, any loan eligible for a guarantee under sub. (2). The
23 ~~corporation~~ authority shall establish the percentage of the principal of an eligible
24 loan that will be guaranteed, using the procedures described in the agreement under
25 s. ~~234.932~~ 235.932 (3) (a). The ~~corporation~~ authority may establish a single

1 percentage for all guaranteed loans or establish different percentages for eligible
2 loans on an individual basis.

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

6 **SECTION 446.** 234.84 (5) (a) of the statutes is repealed.

7 **SECTION 447.** 234.84 (5) (b) of the statutes is renumbered 235.84 (5) and
8 amended to read:

9 235.84 (5) The ~~corporation~~ authority may charge a premium, fee, or other
10 charge to a borrower of a guaranteed loan under this section for the administration
11 of the loan guarantee.

12 **SECTION 448.** 234.86 of the statutes is renumbered 235.86, and 235.86 (2)
13 (intro.) and (c) and (4) (a) and (b), as renumbered, are amended to read:

14 235.86 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money
15 from the Wisconsin drinking water reserve fund under s. ~~234.932~~ 235.932 to
16 guarantee a loan under this section if all of the following apply:

17 (c) The lender is a financial institution that enters into an agreement under s.
18 ~~234.933~~ 235.933 (3) (a).

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

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

3 **SECTION 449.** 234.88 of the statutes is renumbered 235.88, and 235.88 (1) (c),
4 (2) (intro.) and (6), as renumbered, are amended to read:

5 235.88 (1) (c) “Participating lender” means a bank, production credit
6 association, credit union, savings bank, savings and loan association, or other person
7 who makes emergency heating assistance loans and who has entered into an
8 agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

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

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

17 **SECTION 450.** 234.90 of the statutes is renumbered 235.90, and 235.90 (1) (d)
18 and (2) (intro.), as renumbered, are amended to read:

19 235.90 (1) (d) “Participating lender” means a bank, production credit
20 association, credit union, savings bank, savings and loan association or other person
21 who makes agricultural production loans and who has entered into an agreement
22 with the authority under s. ~~234.93~~ 235.93 (2) (a).

23 (2) ELIGIBLE LOANS. (intro.) Except as provided in sub. (3j), an agricultural
24 production loan made by a participating lender is eligible for guarantee of collection

1 from the Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the
2 following apply:

3 **SECTION 451.** 234.905 of the statutes is renumbered 235.905, and 235.905 (1)
4 (f), (2) (intro.) and (4) (b), as renumbered, are amended to read:

5 235.905 (1) (f) “Participating lender” means a bank, production credit
6 association, credit union, savings bank, savings and loan association or other person
7 who makes agricultural production drought assistance loans and who has entered
8 into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

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

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

16 **SECTION 452.** 234.907 of the statutes is renumbered 235.907, and 235.907 (1)
17 (e), (2) (intro.) and (3), as renumbered, are amended to read:

18 235.907 (1) (e) “Participating lender” means a bank, credit union, savings
19 bank, savings and loan association or other person, who makes loans for working
20 capital or to finance physical plant needs, equipment or machinery and who has
21 entered into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

22 (2) ELIGIBLE LOANS. (intro.) A loan made by a participating lender is eligible
23 for guarantee of collection from the Wisconsin development reserve fund under s.
24 ~~234.93~~ 235.93 if all of the following apply:

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

8 **SECTION 453.** 234.91 of the statutes is renumbered 235.91, and 235.91 (1) (e)
9 and (2) (intro.), as renumbered, are amended to read:

10 235.91 (1) (e) “Participating lender” means a bank, farm credit service, credit
11 union, savings bank, savings and loan association or other person who makes loans
12 for the acquisition or improvement of agricultural assets and who has entered into
13 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a). The term does not
14 include a seller under a land contract.

15 **(2) ELIGIBLE LOANS.** (intro.) A loan made by a participating lender is eligible
16 for guarantee of collection from the Wisconsin development reserve fund under s.
17 ~~234.93~~ 235.93 if all of the following apply:

18 **SECTION 454.** 234.92 of the statutes is renumbered 235.92.

19 **SECTION 455.** 234.93 of the statutes is renumbered 235.93, and 235.93 (1) (a),
20 (b), (cm) and (d) and (4) (a) 2. and 3. and (b) (intro.), as renumbered, are amended to
21 read:

22 235.93 (1) (a) Moneys appropriated to the authority under s. ~~20.490 (5) (a), (q)~~
23 20.885 (2) (qm), (r), and (s) or (3) (ap) or received by the authority for the Wisconsin
24 development reserve fund from any other source.

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

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

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

8 (4) (a) 2. To fund guarantees under all of the programs guaranteed by funds
9 from the Wisconsin development reserve fund, except for the program under s.
10 234.935, 1997 stats., ~~and the program under s. 234.75~~ 235.75, at a ratio of \$1 of
11 reserve funding to \$4.50 of total outstanding principal and outstanding guaranteed
12 principal that the authority may guarantee under all of those programs.

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

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

20 **SECTION 456.** 234.932 of the statutes is renumbered 235.932, and 235.932 (2)
21 (intro.) and (b), as renumbered, are amended to read:

22 235.932 (2) ESTABLISHMENT OF FUND. (intro.) There is established under the
23 jurisdiction and control of the authority, for the purpose of providing funds for
24 guaranteeing loans under s. ~~234.84~~ 235.84, a Wisconsin job training reserve fund,
25 consisting of all of the following:

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

3 **SECTION 457.** 234.933 of the statutes is renumbered 235.933, and 235.933 (1),
4 (2) (intro.) and (b), as renumbered, are amended to read:

5 235.933 (1) DEFINITION. In this section, “drinking water loan guarantee
6 program” means the program under s. ~~234.86~~ 235.86.

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

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

13 **SECTION 458.** Subchapter III (title) of chapter 234 [precedes 234.94] of the
14 statutes is renumbered subchapter VI (title) of chapter 235 [precedes 235.94].

15 **SECTION 459.** 234.94 of the statutes is renumbered 235.94, and 235.94 (2) (b)
16 5. and (3), as renumbered, are amended to read:

17 235.94 (2) (b) 5. The corporation’s purpose is to promote the employment of
18 members of a target group through projects that meet the conditions specified in s.
19 ~~234.96~~ 235.96 (1) (a) to (d).

20 (3) “Community development finance company” means a corporation or a
21 limited partnership organized for profit under s. ~~234.95~~ 235.95.

22 **SECTION 460.** 234.95 of the statutes is renumbered 235.95, and 235.95 (2), as
23 renumbered, is amended to read:

24 235.95 (2) The community development finance company shall issue stock or
25 partnership interests. The community development finance company shall invest

1 funds it receives from the sale of stock or partnership interests by purchasing capital
2 participation instruments under s. ~~234.96~~ 235.96.

3 **SECTION 461.** ~~234.96~~ of the statutes is renumbered 235.96.

4 **SECTION 462.** ~~234.97~~ of the statutes is renumbered 235.97, and ~~235.97~~ (intro.)
5 and (2), as renumbered, are amended to read:

6 **235.97 Sale or purchase of stock or interest.** (intro.) Subject to s. ~~234.96~~
7 235.96 (1) (h), the authority shall do all of the following:

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

11 **SECTION 463.** ~~234.98~~ of the statutes is renumbered 235.98.

12 **SECTION 464.** Chapter 235 of the statutes is created to read:

13 **CHAPTER 235**

14 **FORWARD WISCONSIN**

15 **DEVELOPMENT AUTHORITY**

16 **SUBCHAPTER I**

17 **GENERAL PROVISIONS**

18 **235.01 Definitions.** In this chapter:

19 (1) “Authority” means the Forward Wisconsin Development Authority.

20 (2) “Board” means the board of directors of the authority.

21 **235.011 Creation and organization.** (1) There is created a public body
22 corporate and politic, to be known as the “Forward Wisconsin Development
23 Authority.” The members of the board shall consist of 12 public members nominated
24 by the governor, and with the advice and consent of the senate appointed, to serve
25 4-year terms. All members shall be employed in the private sector.

1 (2) Seven members of the board constitutes a quorum for the purpose of
2 conducting its business and exercising its powers and for all other purposes. Action
3 may be taken by the board upon a vote of a majority of a quorum. The board shall
4 elect a chairperson.

5 (3) A vacancy on the board shall be filled in the same manner as the original
6 appointment to the board for the remainder of the unexpired term.

7 (4) (a) A chief executive officer shall be nominated by the governor, approved
8 by the board, and with the advice and consent of the senate appointed, to serve at the
9 pleasure of the governor.

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

12 (c) The board may delegate to the chief executive officer and chief operating
13 officer any powers and duties the board considers proper. The chief executive officer
14 and chief operating officer shall receive such compensation as may be determined by
15 the board.

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

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

22 **235.012 Powers of the board.** The board shall have all the powers necessary
23 or convenient to carry out the purposes and provisions of this chapter. In addition
24 to all other powers granted the board by law, the board may:

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

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

4 (3) Maintain offices.

5 (4) Sue and be sued.

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

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

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

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

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

15 (10) Make loans and provide grants.

16 (11) Incur debt.

17 (12) Procure liability insurance.

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

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

24 (15) Lease real or personal property and to accept federal funds for and
25 participate in such federal housing programs as are enacted on May 4, 1976, or at

1 any future time, except that the authority may not accept without the consent of the
2 governor federal funds under federal housing programs enacted after May 8, 1982,
3 if issuance of the authority's bonds or notes is not required to participate in the
4 programs.

5 (16) Establish and maintain a corporation organized under ch. 180 or 181.

6 **235.013 Duties of the board; mission.** The board shall develop and
7 implement economic development programs, and housing programs and projects to
8 provide business, housing, and other support and expertise and financial assistance
9 to companies that are investing or creating jobs in Wisconsin and to Wisconsin
10 residents to support new business start-ups, business expansion and growth, and
11 home ownership in Wisconsin, and to provide single and multifamily housing to
12 persons and families of low and moderate income in Wisconsin. The board may also
13 develop and implement any other programs and projects related to economic
14 development or housing in Wisconsin.

15 **SECTION 465.** 235.0279 (3) of the statutes is created to read:

16 235.0279 (3) Records consisting of information on the In Force Network or
17 other similar customer relationship management system maintained by the
18 authority, unless the information was published to the In Force Network or other
19 system by the authority or another economic development organization.

20 **SECTION 466.** Subchapter II (title) of chapter 235 [precedes 235.03] of the
21 statutes is created to read:

22 **CHAPTER 235**

23 **SUBCHAPTER II**

24 **ECONOMIC DEVELOPMENT**

1 **SECTION 467.** 235.03 (3) (ad), (ah), (ap) and (at) of the statutes are created to
2 read:

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

9 (ah) That each recipient make available for inspection the documents
10 supporting the attestation submitted under par. (a).

11 (ap) That the contract with each grant or loan recipient shall include the
12 requirements under pars. (a) to (ah).

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

17 **SECTION 468.** 235.609 of the statutes is created to read:

18 **235.609 Bonds for certain mortgages and securities and for the**
19 **housing development fund.** The authority may issue its negotiable notes and
20 bonds to do any of the following:

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

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

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

5 **SECTION 469.** Chapter 238 (title) of the statutes is repealed.

6 **SECTION 470.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
7 statutes is repealed.

8 **SECTION 471.** 238.01 (intro.) and (1) of the statutes are repealed.

9 **SECTION 472.** 238.01 (2) of the statutes is repealed.

10 **SECTION 473.** 238.01 (3) of the statutes is renumbered 235.01 (3).

11 **SECTION 474.** 238.02 of the statutes is repealed.

12 **SECTION 475.** 238.03 (title) of the statutes is renumbered 235.03 (title) and
13 amended to read:

14 **235.03 (title) Duties of ~~board~~ the authority concerning economic**
15 **development.**

16 **SECTION 476.** 238.03 (1) of the statutes is repealed.

17 **SECTION 477.** 238.03 (2) of the statutes is renumbered 235.03 (2), and 235.03
18 (2) (intro.) and (c), as renumbered, are amended to read:

19 235.03 (2) (intro.) For each program developed and implemented by the ~~board~~
20 authority under this subchapter, the ~~board~~ authority shall do all of the following:

21 (c) Require that each recipient of a grant or loan under the program submit a
22 report to the ~~corporation~~ authority. Each contract with a recipient of a grant or loan
23 under the program must specify the frequency and format of the report to be
24 submitted to the ~~corporation~~ authority and the performance measures to be included
25 in the report.