

2015 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB21)

Received: 7/7/2015 Received By: mgallagh
For: Jennifer Shilling (608) 266-5490 Same as LRB:
May Contact: By/Representing: Kara
Subject: Econ. Development - misc. Drafter: mgallagh
Econ. Development - WEDC Addl. Drafters:
State Govt - miscellaneous Extra Copies:

Submit via email: YES
Requester's email: Sen.Shilling@legis.wisconsin.gov
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

WEDC package (#4)

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 7/7/2015	eweiss 7/7/2015	_____			
/1			_____	lparisi 7/7/2015	lparisi 7/7/2015	

FE Sent For:

<END>

Gallagher, Michael

From: Pennoyer, Kara
Sent: Tuesday, July 07, 2015 8:27 AM
To: Champagne, Rick; Hanaman, Cathlene
Cc: Pfothenauer, Mary; Shea, Elisabeth; Gary, Aaron; Gallagher, Michael
Subject: RE: jobs & economic development amendments

Sorry for the change. We would like to scrap the amendment removing the provision that would make credits refundable and the amendment requiring the Gov say the chairman of WEDC.

So that amendment should look like this:

	WEDC			
#4	✓ Provision that would require that, if a company that has received a WEDC grant outsources jobs, WEDC must commence action to reclaim the grant within 6 months.		<i>in drafting</i>	<i>LRB 15b0569</i>
	✓ Prohibit businesses who outsource jobs from receiving loans, grants or tax credits for five years.	Motion #536, item # 11	<i>in drafting</i>	<i>LRB 15b0568</i>
	✓ Require any employee of a state agency or authority (including WEDC), if they are aware that fraud has been perpetrated against their agency, to cause that information to be reported to law enforcement.		<i>in drafting</i>	<i>LRB 15b0570</i>
	✓ Specify that state laws governing misconduct in public office for public officers and public employees also apply to WEDC employees.	Motion #501, item #44	<i>in drafting</i>	<i>LRB 15b0575</i>
	✓ Transfer the funding amounts recommended for WEDC in 2015-16 and 2016-17 to the applicable Joint Committee on Finance program supplementation appropriations and require WEDC to report on how it will implement the Legislative Audit Bureau's findings before requesting the release of funding from the Committee.	Motion #501, item #50	<i>in drafting</i>	

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: Pennoyer, Kara
Sent: Monday, July 06, 2015 10:50 PM
To: Champagne, Rick; Hanaman, Cathlene
Cc: Pfothenauer, Mary; Shea, Elisabeth; Gary, Aaron; Gallagher, Michael
Subject: jobs & economic development amendments

Hello,

Thank you so much for sending amendments so quickly!

Our members have requested to bundle some our amendments into packages – combining amendments into one for one vote. Below is jobs & economic development. Let me know if that’s an issue. THANK YOU!

#1	SBIR matching grants for small business start-ups	2015 SB 124	<i>in drafting</i>	
	Workforce Growth Act capacity building grants for tech colleges	2015 SB 163	<i>in drafting</i>	LRB 15b0508
	Entrepreneurial Access Tax Credits (Small Business Credit Now)	2015 SB 162	<i>in drafting</i>	LRB b0529/P1
	Entrepreneurial Assistance Grants (internship subsidies)	2015 SB 112	<i>in drafting</i>	
	Farm to School to \$200,000 annually		<i>in drafting</i>	LRB 15b0578

#2	Provision that would require that, if a company that has received a WEDC grant outsources jobs, WEDC must commence action to reclaim the grant within 6 months.		<i>in drafting</i>	LRB 15b0569
	Prohibit businesses who outsource jobs from receiving loans, grants or tax credits for five years.	Motion #536, item # 11	<i>in drafting</i>	LRB 15b0568
	Remove the provision that would make the new consolidated economic development credits refundable.		<i>in drafting</i>	
	Require that the Governor remain chairman of the WEDC board until the board has selected his replacement.		<i>in drafting</i>	LRB b0572/P1
	Require any employee of a state agency or authority (including WEDC), if they are aware that fraud has been perpetrated against their agency, to cause that information to be reported to law enforcement.		<i>in drafting</i>	LRB 15b0570
	Specify that state laws governing misconduct in public office for public officers and public employees also apply to WEDC employees.	Motion #501, item #44	<i>in drafting</i>	LRB 15b0575
	Transfer the funding amounts recommended for WEDC in 2015-16 and 2016-17 to the applicable Joint Committee on Finance program supplementation appropriations and require WEDC to report on how it will implement the Legislative Audit Bureau’s findings before requesting the release of funding from the Committee.	Motion #501, item #50	<i>in drafting</i>	

Kara Pennoyer
Office of Senator Jennifer Shilling
 608.266.5490
 206 South, State Capitol

<< OLE Object: Picture (Device Independent Bitmap) >> << OLE Object: Picture (Device Independent Bitmap) >> << OLE Object: Picture (Device Independent Bitmap) >>



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0568/1
JK:emw

**SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** At the appropriate places, insert all of the following:

3 **"SECTION 1.** 15.01 (2) of the statutes is amended to read:

4 15.01 (2) "Commission" means a 3-member governing body in charge of a
5 department or independent agency or of a division or other subunit within a
6 department, except for the Wisconsin waterways commission which shall consist of
7 5 members, the Wisconsin job development and retention commission which shall
8 consist of 7 members, and the parole commission which shall consist of 8 members.
9 A Wisconsin group created for participation in a continuing interstate body, or the
10 interstate body itself, shall be known as a "commission", but is not a commission for
11 purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be
12 known as a "commission", but is not a commission for purposes of s. 15.06.

Insert A



1 **SECTION 2.** 15.06 (1) (bb) of the statutes is created to read:

2 15.06 (1) (bb) Members of the Wisconsin job development and retention
3 commission shall be appointed by the secretary of workforce development as
4 provided under s. 15.225 (3).

5 **SECTION 3.** 15.06 (2) of the statutes is amended to read:


6 15.06 (2) **SELECTION OF OFFICERS.** Each commission may annually elect officers
7 other than a chairperson from among its members as its work requires. Any officer
8 may be reappointed or reelected. At the time of making new nominations to
9 commissions, the governor shall designate a member or nominee of each commission
10 to serve as the commission's chairperson for a 2-year term expiring on March 1 of
11 the odd-numbered year except that the labor and industry review commission shall
12 elect one of its members to serve as the commission's chairperson for a 2-year term
13 expiring on March 1 of the odd-numbered year and the secretary of workforce
14 development shall appoint the chairperson of the Wisconsin job development and
15 retention commission, as provided under s. 15.225 (3).

16 **SECTION 4.** 15.06 (3) (a) 5. of the statutes is created to read:

17 15.06 (3) (a) 5. The members of the Wisconsin job development and retention
18 commission.

19 **SECTION 5.** 15.225 (3) of the statutes is created to read:

20 15.225 (3) **WISCONSIN JOB DEVELOPMENT AND RETENTION COMMISSION.** There is
21 created in the department of workforce development the Wisconsin job development
22 and retention commission appointed by the secretary of workforce development to
23 consist of 3 representatives of employers and 3 representatives of employees
24 appointed to serve for 6-year terms and a permanent classified employee of the
25 department of workforce development who shall serve as nonvoting chairperson. A



1 member may not serve on the commission if he or she loses the status on which his
2 or her appointment is based.

3 **SECTION 6.** 103.355 of the statutes is created to read:

4 **103.355 Requirements for receiving state incentives. (1) DEFINITIONS.**

5 In this section:

6 (a) "Agency" has the meaning given in s. 16.70 (1e).

7 (b) "Business" means any organization or enterprise operated for profit,
8 including a sole proprietorship, partnership, firm, business trust, joint venture,
9 syndicate, corporation, limited liability company, or association.

10 (c) "Commission" means the Wisconsin job development and retention
11 commission.

12 **(2) OUTSOURCING PROHIBITED.** Notwithstanding any other provision of state law
13 to the contrary, a person who operates or intends to operate a business in this state
14 and who outsources work from this state to another state or country is ineligible to
15 receive any grants or loans from a state agency, any tax exemption under ch. 70, not
16 including the exemption under s. 70.11 (27), or any credit, deduction, exclusion, or
17 exemption under ch. 71 for a period of 5 years following the year in which the
18 commission determines that the person has outsourced work to another state or
19 country.

20 **(3) RULES.** The commission shall promulgate rules to implement and
21 administer this section.

22 **(4) REVIEW.** A determination of ineligibility under sub. (2) is subject to review
23 under subch. III of ch. 227.

24 **SECTION 9151. Nonstatutory provisions; Workforce Development.**



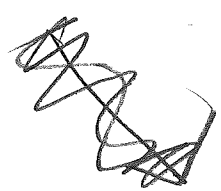
1 ① RULE MAKING; SCOPE STATEMENT. Notwithstanding section 227.135 (1) of the
 2 statutes, the Wisconsin job development and retention commission is not required
 3 to prepare a statement of the scope of the rules required under section 103.355 (3)
 4 of the statutes, as created by this act.

5 ② RULE MAKING; GOVERNOR'S APPROVAL. Notwithstanding section 227.185 of the
 6 statutes, the Wisconsin job development and retention commission is not required
 7 to present the rules required under section 103.355 (3) of the statutes, as created by
 8 this act, in final draft form to the governor for approval.

9 ③ PROPOSED RULES. The Wisconsin job development and retention commission
 10 shall submit in proposed form the rules required under section 103.355 (3) of the
 11 statutes, as created by this act, to the legislative council staff under section 227.15
 12 (1) of the statutes no later than the first day of the 13th month beginning after the
 13 effective date of this subsection.

14 ④ REVIEW AND REPORTING. Notwithstanding section 227.137 (6) of the statutes,
 15 the requirements for review of and reporting on the economic impact analysis by the
 16 department of administration and the requirement for approval by the secretary of
 17 administration do not apply to rules required under section 103.355 (3) of the
 18 statutes, as created by this act.

19 ⑤ LEGISLATIVE COUNCIL REVIEW. Notwithstanding section 227.137 (2) and (6)
 20 of the statutes, the Wisconsin job development and retention commission may
 21 submit the rules required under section 103.355 (3) of the statutes, as created by this
 22 act, to the legislative council staff for review under section 227.15 (1) of the statutes
 23 before the commission completes the economic impact analysis for the rules.”.





State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0569/1
MPG:emw

SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21

1 At the locations indicated, amend the substitute amendment as follows:

2 1. At the appropriate places, insert all of the following:

3 "SECTION 1. 238.12 (3) of the statutes is created to read:

4 238.12 (3) If the corporation awards a grant to a person under this chapter, and
5 the person later outsources work from this state to another state or country, the
6 person shall repay the full amount of the grant to the corporation. If, within 6 months
7 after the corporation becomes aware of such outsourcing, the person fails to repay
8 the full amount of the grant, the corporation shall immediately commence an action
9 for repayment of the grant in any court of competent jurisdiction."

10 (END)

Insert B



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0570/1
MPG:kjf

SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1219, line 2: after that line insert:


3 "SECTION 3796j. 230.81 (2) of the statutes is amended to read:

4 230.81 (2) Nothing in this section prohibits an employee from disclosing
5 information to an appropriate law enforcement agency, a state or federal district
6 attorney in whose jurisdiction the crime is alleged to have occurred, a state or federal
7 grand jury or a judge in a proceeding commenced under s. 968.26, or disclosing
8 information pursuant to any subpoena issued by any person authorized to issue
9 subpoenas under s. 885.01. Any such disclosure of information, or a report to a law
10 enforcement agency under sub. (4), is a lawful disclosure under this section and is
11 protected under s. 230.83.

12 SECTION 3796i. 230.81 (4) of the statutes is created to read:

Insert ID





1 230.81 (4) Any employee who is aware that a fraud has been perpetrated
2 against his or her employing governmental unit shall cause that fraud to be reported
3 to an appropriate law enforcement agency.”

4 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0575/1
MPG:klm

SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1446, line 23: after that line insert:

3 "SECTION 4721s. 946.18 of the statutes is amended to read:

4 **946.18 Misconduct sections apply to all public officers.** Sections 946.10
5 to 946.17 apply to public officers, whether legally constituted or exercising powers
6 as if legally constituted, including all officers and employees of the Wisconsin
7 Economic Development Corporation."

8 (END)

Insert E



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBb0576/1
MPG:jld

**SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21**

1 ~~At the locations indicated, amend the substitute amendment as follows:~~

2 **1.** Page 106, line 14: decrease the dollar amount for fiscal year 2015-16 by
3 \$6,974,700 and decrease the dollar amount for fiscal year 2016-17 by \$12,474,700
4 to decrease funding for the purposes for which the appropriation is made.

5 **2.** Page 107, line 2: decrease the dollar amount for fiscal year 2015-16 by
6 \$21,776,000 and decrease the dollar amount for fiscal year 2016-17 by \$21,776,000
7 to decrease funding for the purposes for which the appropriation is made.

8 **3.** Page 283, line 12: increase the dollar amount for fiscal year 2015-16 by
9 \$6,974,700 and increase the dollar amount for fiscal year 2016-17 by \$12,474,700 to
10 supplement the appropriation under section 20.192 (1) (a) of the statutes for the
11 purposes for which that appropriation is made.

INSERT C





IN 6/7
State of Wisconsin
2015 - 2016 LEGISLATURE

MPJ
LRBb0696? e 1
emw

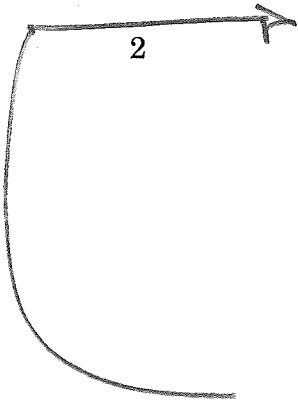
PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21

1

At the locations indicated, amend the substitute amendment as follows:

2

(END)



Insert A

" B

" C

" D

" E

" F