



State of Wisconsin
2009 - 2010 LEGISLATURE

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**ASSEMBLY AMENDMENT 7,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 641**

April 12, 2010 – Offered by Representative MOLEPSKE JR..

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

2 **1.** Page 1, line 12: after “credits;” insert “modifying the early stage seed and
jobs tax credits;”.

3 **2.** Page 2, line 9: before that line insert:

4 “SECTION 1g. 15.155 (2) (c) of the statutes is created to read:

5 15.155 (2) (c) The board shall do all of the following:

6 1. Consult with the department of commerce on strategic economic policy for
7 the state.

8 2. Suggest legislation to achieve strategic economic policy objectives.”.

9 **3.** Page 2, line 9: delete “SECTION 1” and substitute “SECTION 1r”.

10 **4.** Page 2, line 11: after that line insert:

1 **“20.143 Commerce, department of**

2 (1) ECONOMIC AND COMMUNITY DEVELOPMENT

3 (cp) Rural outsourcing grants GPR B 250,000 250,000”.

4 **5.** Page 3, line 10: after that line insert:

5 **“SECTION 2g.** 20.143 (1) (cp) of the statutes is created to read:

6 20.143 (1) (cp) *Rural outsourcing grants*. Biennially, the amounts in the
7 schedule for rural outsourcing grants under 2009 Wisconsin Act (this act), section
8 45 (1) and to make expenditures authorized under 2009 Wisconsin Act (this act),
9 section 45 (1) (c).

10 **SECTION 2r.** 20.143 (1) (cp) of the statutes, as created by 2009 Wisconsin Act
11 (this act), is repealed.”.

12 **6.** Page 3, line 20: before that line insert:

13 **“SECTION 4m.** 20.143 (1) (gc) (title) of the statutes, as affected by 2009
14 Wisconsin Act 28, is amended to read:

15 20.143 (1) (gc) (title) ~~*Regulatory ombudsman center*~~ *Office of regulatory*
16 *assistance*.”.

17 **7.** Page 9, line 4: after that line insert:

18 **“SECTION 23d.** 71.07 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act
19 28, is amended to read:

20 71.07 (3q) (c) 3. The maximum amount of credits that may be awarded under
21 this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January
22 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
23 any credits reallocated under s. 560.205 (3) (d).

24 **SECTION 23g.** 71.07 (5b) (b) 1. of the statutes is amended to read:

1 71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
2 to the limitations provided under this subsection and s. 560.205, and except as
3 provided in subd. 2., a claimant may claim as a credit against the tax imposed under
4 ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent of the claimant's
5 investment paid to a fund manager that the fund manager invests in a business
6 certified under s. 560.205 (1), except that, for taxable years beginning after
7 December 31, 2009, and before January 1, 2014, a claimant may claim 40 percent of
8 the claimant's investment paid to a fund manager that the fund manager invests in
9 a business certified under s. 560.205 (1), if the fund manager has invested no more
10 than \$500,000 in the business and the business has received no more than
11 \$2,000,000 in investments that have qualified for credits under this subsection or s.
12 71.28 (5b) or 71.47 (5b).

13 **SECTION 23h.** 71.07 (5b) (b) 2. of the statutes is amended to read:

14 71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or
15 tax-option corporation, the computation of the 25 or 40 percent limitation under
16 subd. 1. shall be determined at the entity level rather than the claimant level and
17 may be allocated among the claimants who make investments in the manner set
18 forth in the entity's organizational documents. The entity shall provide to the
19 department of revenue and to the department of commerce the names and tax
20 identification numbers of the claimants, the amounts of the credits allocated to the
21 claimants, and the computation of the allocations.”.

22 **8.** Page 12, line 16: after that line insert:

23 “**SECTION 28d.** 71.28 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act
24 28, is amended to read:

1 71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under
2 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January
3 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
4 any credits reallocated under s. 560.205 (3) (d).

5 **SECTION 28g.** 71.28 (5b) (b) 1. of the statutes is amended to read:

6 71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
7 to the limitations provided under this subsection and s. 560.205, and except as
8 provided in subd. 2., a claimant may claim as a credit against the tax imposed under
9 s. 71.23, up to the amount of those taxes, 25 percent of the claimant's investment paid
10 to a fund manager that the fund manager invests in a business certified under s.
11 560.205 (1), except that, for taxable years beginning after December 31, 2009, and
12 before January 1, 2014, a claimant may claim 40 percent of the claimant's investment
13 paid to a fund manager that the fund manager invests in a business certified under
14 s. 560.205 (1), if the fund manager has invested no more than \$500,000 in the
15 business and the business has received no more than \$2,000,000 in investments that
16 have qualified for credits under this subsection or s. 71.07 (5b) or 71.47 (5b).

17 **SECTION 28h.** 71.28 (5b) (b) 2. of the statutes is amended to read:

18 71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or
19 tax-option corporation, the computation of the 25 or 40 percent limitation under
20 subd. 1. shall be determined at the entity level rather than the claimant level and
21 may be allocated among the claimants who make investments in the manner set
22 forth in the entity's organizational documents. The entity shall provide to the
23 department of revenue and to the department of commerce the names and tax
24 identification numbers of the claimants, the amounts of the credits allocated to the
25 claimants, and the computation of the allocations.”.

1 **9.** Page 15, line 21: after that line insert:

2 “**SECTION 32d.** 71.47 (3q) (c) 3. of the statutes, as created by 2009 Wisconsin Act
3 28, is amended to read:

4 71.47 **(3q)** (c) 3. The maximum amount of credits that may be awarded under
5 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January
6 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
7 any credits reallocated under s. 560.205 (3) (d).

8 **SECTION 32g.** 71.47 (5b) (b) 1. of the statutes is amended to read:

9 71.47 **(5b)** (b) 1. For taxable years beginning after December 31, 2004, subject
10 to the limitations provided under this subsection and s. 560.205, and except as
11 provided in subd. 2., a claimant may claim as a credit against the tax imposed under
12 s. 71.43, up to the amount of those taxes, 25 percent of the claimant’s investment paid
13 to a fund manager that the fund manager invests in a business certified under s.
14 560.205 (1), except that, for taxable years beginning after December 31, 2009, and
15 before January 1, 2014, a claimant may claim 40 percent of the claimant’s investment
16 paid to a fund manager that the fund manager invests in a business certified under
17 s. 560.205 (1), if the fund manager has invested no more than \$500,000 in the
18 business and the business has received no more than \$2,000,000 in investments that
19 have qualified for credits under this subsection or s. 71.07 (5b) or 71.28 (5b).

20 **SECTION 32h.** 71.47 (5b) (b) 2. of the statutes is amended to read:

21 71.47 **(5b)** (b) 2. In the case of a partnership, limited liability company, or
22 tax-option corporation, the computation of the 25 or 40 percent limitation under
23 subd. 1. shall be determined at the entity level rather than the claimant level and
24 may be allocated among the claimants who make investments in the manner set

1 forth in the entity’s organizational documents. The entity shall provide to the
2 department of revenue and to the department of commerce the names and tax
3 identification numbers of the claimants, the amounts of the credits allocated to the
4 claimants, and the computation of the allocations.”.

5 **10.** Page 19, line 4: before that line insert:

6 “**SECTION 35g.** 560.03 (9) of the statutes is amended to read:

7 560.03 (9) Establish and operate a small business ombudsman clearinghouse
8 for business and industry to facilitate the flow of information from other state and
9 federal agencies, to assist state agencies in establishing methods to encourage the
10 participation of small businesses in rule making under s. 227.114 (4) and to serve as
11 ombudsman for small business stationary sources, as defined in s. 285.79 (1), in
12 connection with the implementation of the federal clean air act, 42 USC 7401 to
13 7671q. The department shall assign one full-time employee of the small business
14 ombudsman clearinghouse to provide assistance to businesses as specified under s.
15 560.42 (1m).

16 **SECTION 35r.** 560.03 (19) of the statutes, as affected by 2009 Wisconsin Act 28,
17 is amended to read:

18 560.03 (19) Establish ~~a regulatory ombudsman center~~ an office of regulatory
19 assistance in the department to provide services as set forth in subch. III.”.

20 **11.** Page 20, line 19: delete the material beginning with “or” and ending with
“(c)” on line 20.

21 **12.** Page 23, line 7: after that line insert:

22 “**SECTION 43b.** 560.30 (1) of the statutes, as created by 2009 Wisconsin Act 28,
23 is repealed.

1 **SECTION 43c.** 560.301 (intro.) of the statutes, as created by 2009 Wisconsin Act
2 28, is amended to read:

3 **560.301 Rules, policies, and standards for awarding grants and**
4 **making loans.** (intro.) The department, ~~in consultation with the board,~~ shall
5 promulgate rules that establish procedures, policies, and standards for
6 implementing this subchapter and awarding grants and making loans under this
7 subchapter. The rules shall include all of the following:

8 **SECTION 43cm.** 560.304 of the statutes, as created by 2009 Wisconsin Act 28,
9 is amended to read:

10 **560.304 Forward innovation fund.** The department may award a grant or
11 make a loan to an eligible recipient from the appropriations under s. 20.143 (1) (fi),
12 (gm), and (io). ~~The department shall consult with the board prior to awarding a grant~~
13 ~~or making a loan under this section.~~

14 **SECTION 43e.** 560.305 (1) (intro.) of the statutes, as created by 2009 Wisconsin
15 Act 28, is amended to read:

16 560.305 (1) (intro.) The department, ~~in cooperation with the board,~~ shall
17 encourage small businesses to apply for grants and loans under this subchapter by
18 ensuring that there are no undue impediments to their participation and by actively
19 encouraging small businesses to apply for grants and loans. The department shall
20 do all of the following:

21 **SECTION 43em.** 560.305 (3) of the statutes, as created by 2009 Wisconsin Act
22 28, is amended to read:

23 560.305 (3) ~~The board~~ department shall develop a policy relating to obtaining
24 reimbursement of grants and loans provided under this subchapter. The policy may
25 provide that reimbursement shall be obtained through full repayment of the

1 principal amount of the grant or loan plus interest, through receipt of a share of
2 future profits from or an interest in a product or process, or through any other
3 appropriate means.

4 **SECTION 43es.** 560.305 (4) of the statutes, as created by 2009 Wisconsin Act 28,
5 is amended to read:

6 560.305 (4) The ~~board~~ department shall require, as a condition of a grant or
7 loan, that a recipient contribute to a project an amount that is not less than 25
8 percent of the amount of the grant or loan.

9 **SECTION 43g.** Subchapter III (title) of chapter 560 [precedes 560.41] of the
10 statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

11 **CHAPTER 560**

12 **SUBCHAPTER III**

13 **OFFICE OF REGULATORY OMBUDSMAN**

14 **CENTER ASSISTANCE**

15 **SECTION 43gm.** 560.41 (1) of the statutes is renumbered 560.41 (1n).

16 **SECTION 43gs.** 560.41 (1c) of the statutes is created to read:

17 560.41 (1c) “Agency” has the meaning given in s. 16.70 (1e).

18 **SECTION 43i.** 560.41 (1g) of the statutes is created to read:

19 560.41 (1g) “Authority” has the meaning given in s. 16.70 (2).

20 **SECTION 43im.** 560.41 (1m) of the statutes, as affected by 2009 Wisconsin Act
21 28, is renumbered 560.41 (1w) and amended to read:

22 560.41 (1w) “Center Office” means the ~~regulatory ombudsman center office of~~
23 regulatory assistance in the department.

24 **SECTION 4is.** 560.41 (1r) of the statutes is created to read:

25 560.41 (1r) “Municipality” has the meaning given in s. 16.70 (8).

1 **SECTION 43k.** 560.41 (2) of the statutes is amended to read:

2 560.41 (2) “Permit” means any approval of ~~a regulatory~~ an agency required as
3 a condition of operating a business in this state.

4 **SECTION 43km.** 560.41 (3) of the statutes is repealed.

5 **SECTION 43ks.** 560.42 (1) of the statutes is repealed.

6 **SECTION 43m.** 560.42 (1m) of the statutes is created to read:

7 560.42 (1m) ASSISTANCE TO BUSINESSES. The office shall do all of the following:

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

12 1. Explain requirements for obtaining permits.

13 2. Track the progress of applications for permits.

14 3. Help businesses comply with laws and rules applicable to businesses,
15 including providing plain-language explanations of laws and rules.

16 (b) Serve as a liaison between businesses and agencies, authorities,
17 municipalities, and local economic development organizations.

18 **SECTION 43mm.** 560.42 (2) (a) and (b), (2m) (intro.), (2r), (3) and (4) of the
19 statutes are amended to read:

20 560.42 (2) (a) The ~~center~~ office shall assist any person requesting information
21 on which permits are required for a particular business activity or on the application
22 process, including criteria applied in making a determination on a permit
23 application and the time period within which a determination will be made. This
24 assistance may include any of the following:

1 1. Arranging a meeting between the person and the staff of the appropriate
2 regulatory agency to enable the person to obtain information from the agency.

3 2. Obtaining information and permit applications from the regulatory agency
4 and providing the information and appropriate permit applications to the person.

5 (b) If a person receives assistance under this subsection and applies for a permit
6 and if the person requests, the center office shall monitor the status of the permit
7 application and periodically report the status to the person.

8 **(2m) ADVOCACY.** (intro.) The center office shall provide advocacy services
9 before regulatory agencies on behalf of permit applicants. These services shall
10 include all of the following:

11 **(2r) MEDIATION AND DISPUTE RESOLUTION SERVICES.** The center office may provide
12 mediation or other dispute resolution services to facilitate the resolution of a dispute
13 between a regulatory an agency and a person applying for a permit. The provision
14 of mediation or other dispute resolution services under this subsection does not affect
15 any right that the person may have to a contested hearing under ch. 227.

16 **(3) ASSISTANCE BY CENTER OFFICE.** (a) The center office may charge for services
17 provided under this subchapter. Any amount charged for services may not exceed
18 the actual cost of the service provided, unless a specific charge for the service, or
19 method of calculating the charge, is provided by law. All amounts received under this
20 paragraph shall be deposited in the appropriation account under s. 20.143 (1) (gc).

21 (b) The center office may refer to the appropriate regulatory agency, without
22 giving further assistance, any person seeking information or assistance on a permit
23 under chs. 186, 215, 217, 220 to 224, 440 to 480 and 600 to 646.

24 (c) Advice, assistance, mediation or other dispute resolution services or
25 information rendered by the center office under this subchapter does not relieve any

1 person from the obligation to secure a required permit or satisfy a regulatory
2 requirement.

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

5 (4) PROMOTION OF ASSISTANCE. (a) The ~~center~~ office shall maintain and publicize
6 the availability of a toll-free telephone line available to in-state and out-of-state
7 callers to the ~~center~~ office.

8 (b) The ~~center~~ office shall seek to explain, promote and publicize its services to
9 the public and shall provide information on its services for inclusion in any public
10 informational material on permits provided by ~~regulatory~~ agencies.

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

13 **SECTION 43ms.** 560.42 (5) of the statutes is created to read:

14 560.42 (5) STAFFING AND REPORT. The office shall be staffed by at least 2
15 full-time employees of the department. The office shall annually submit to the chief
16 clerk of each house of the legislature for distribution to the appropriate standing
17 committees under s. 13.172 (3) a report on the work of the office.

18 **SECTION 43o.** 560.43 (title), (1) (intro.), (a), (b), (c) and (g) and (2) of the statutes
19 are amended to read:

20 **560.43 (title) Responsibilities of regulatory agencies. (1) INTERAGENCY**
21 **COOPERATION.** (intro.) Each ~~regulatory~~ agency shall:

22 (a) Designate a staff person to coordinate ~~regulatory~~ agency cooperation with
23 ~~center~~ office staff, provide information to ~~center~~ office staff on the permit process and
24 direct ~~center~~ office staff to appropriate staff within the ~~regulatory~~ agency.

1 (b) Cooperate with ~~center~~ office staff and respond promptly to requests for
2 assistance in expediting and requests for information on the permit process under
3 s. 560.42.

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

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

8 **(2) PREAPPLICATION MEETINGS.** Each ~~regulatory~~ agency shall provide an
9 opportunity for a preapplication meeting with its staff to any person interested in
10 applying for a permit upon request by the person or the ~~center~~ office, and shall
11 comply with the following requirements:

12 (a) The ~~regulatory~~ agency shall conduct preapplication meetings in an informal
13 manner.

14 (b) In any preapplication meeting, the ~~regulatory~~ agency shall identify all
15 permits required by the ~~regulating~~ agency for a business activity, describe the steps
16 and identify the time period for each step in the permit process and identify potential
17 problems in the process.

18 (d) The ~~regulatory~~ agency shall invite participation by ~~center~~ office staff in
19 preapplication meetings when appropriate.

20 (e) The ~~regulatory~~ agency shall publicize the availability of preapplication
21 meetings to persons contacting them about permits.

22 **SECTION 43om.** 560.44 (1) (intro.) of the statutes is amended to read:

23 560.44 **(1) OMBUDSMAN.** (intro.) The ~~center~~ office shall act as an ombudsman
24 for brownfields redevelopment projects. As ombudsman, the ~~center~~ office shall do all
25 of the following:

1 **SECTION 43os.** 560.44 (2) of the statutes is amended to read:

2 560.44 (2) ADMINISTRATION OF BROWNFIELDS PROGRAMS. The ~~center~~ office shall
3 assist in administering the grant program under s. 560.13 and in administering
4 grants and loans under s. 560.138 that are made for brownfields remediation
5 projects.

6 **SECTION 43q.** 560.60 (1s) of the statutes, as affected by 2009 Wisconsin Act 28,
7 is repealed.

8 **SECTION 43qm.** 560.602 (intro.) of the statutes is amended to read:

9 **560.602 Policies and standards for awarding grants and loans.** (intro.)
10 The department, ~~with the approval of the board,~~ shall promulgate rules to establish
11 policies and standards for awarding grants and loans under this subchapter. The
12 rules shall include all of the following:

13 **SECTION 43qs.** 560.605 (1) (intro.) of the statutes is amended to read:

14 560.605 (1) (intro.) Upon receipt of an application by an eligible recipient, the
15 ~~board~~ department may consider any of the following in determining whether to
16 award a grant or loan under s. 560.61:

17 **SECTION 43r.** 560.605 (2m) (intro.) of the statutes is amended to read:

18 560.605 (2m) (intro.) When considering whether a project will be located in a
19 targeted area, the ~~board~~ department may consider any of the following:

20 **SECTION 43rm.** 560.605 (2m) (h) of the statutes is amended to read:

21 560.605 (2m) (h) Any other factor the ~~board~~ department considers to be an
22 appropriate indicator of a targeted area.

23 **SECTION 43rs.** 560.605 (7) (intro.) of the statutes is amended to read:

24 560.605 (7) (intro.) The ~~board~~ department shall award not less than 35 percent
25 of the total amount of grants and loans made under this subchapter to businesses in

1 distressed areas. In this paragraph, “distressed area” means an area to which any
2 of the following apply:

3 **SECTION 43t.** 560.605 (7) (f) of the statutes is amended to read:

4 560.605 (7) (f) As determined by the ~~board~~ department, the area is affected by
5 another factor that indicates the area is a distressed area.

6 **SECTION 43tm.** 560.61 of the statutes is amended to read:

7 **560.61 Wisconsin development fund.** ~~At the request of the board, the~~ The
8 department may make a grant or loan to an eligible recipient from the appropriations
9 under s. 20.143 (1) (c) and (ie).

10 **SECTION 43ts.** 560.68 (2) of the statutes is amended to read:

11 560.68 (2) The department, ~~in cooperation with the board,~~ shall actively
12 encourage small businesses to apply for grants and loans under this subchapter by
13 ensuring that there are no undue impediments to their participation and by assisting
14 small businesses in preparing grant and loan applications.

15 **SECTION 43u.** 560.68 (4) of the statutes is amended to read:

16 560.68 (4) The ~~board~~ department shall develop a policy relating to obtaining
17 reimbursement of grants and loans provided under this subchapter. The policy may
18 provide that reimbursement shall be obtained through full repayment of the
19 principal amount of the grant or loan plus interest, through receipt of a share of
20 future profits from or an interest in a product or process, or through any other
21 appropriate means.

22 **SECTION 43um.** 560.68 (5) (intro.) of the statutes is amended to read:

23 560.68 (5) (intro.) The department, ~~with the approval of the board,~~ shall
24 develop procedures related to grants and loans under s. 560.61 for all of the following:

25 **SECTION 43v.** 560.68 (5m) of the statutes is amended to read:

1 560.68 (5m) The department, ~~with the approval of the board,~~ shall establish
2 and implement procedures for monitoring the use of grants and loans awarded under
3 this subchapter, including procedures for verification of economic growth, job
4 creation and the number and percentage of newly created jobs for which state
5 residents are hired.

6 **SECTION 43vm.** 560.68 (6) of the statutes is amended to read:

7 560.68 (6) The ~~board~~ department shall require, as a condition of a grant or loan,
8 that a recipient contribute to a project an amount that is not less than 25% of the
9 amount of the grant or loan.

10 **SECTION 43vs.** 560.68 (7) (intro.) of the statutes is amended to read:

11 560.68 (7) (intro.) The department, ~~in cooperation with the board,~~ shall
12 encourage small businesses to apply for grants and loans under this subchapter by
13 ensuring that there are no undue impediments to their participation and by actively
14 encouraging small businesses to apply for grants and loans. The department shall
15 do all of the following:

16 **SECTION 43w.** 560.685 of the statutes is repealed.”.

17 **13.** Page 23, line 16: delete the material beginning with that line and ending
with page 24, line 7, and substitute:

18 “(1) RURAL OUTSOURCING GRANTS.

19 (a) From the appropriations under section 20.143 (1) (cp), (ie), (ig), (im), and (ir)
20 of the statutes, as affected by this act, the department of commerce may award grants
21 during the 2009–11 fiscal biennium to businesses for outsourcing work to rural
22 municipalities, as defined under section 560.17 (1) (d) of the statutes. The
23 department may award a grant from the appropriation under section 20.143 (1) (cp)

1 of the statutes, as created by this act, only to the extent the unencumbered balances
2 of the appropriations under section 20.143 (1) (ie), (ig), (im), and (ir) of the statutes,
3 as affected by this act, are insufficient to award the grant. The department shall
4 require grantees to obtain funding from sources other than the state in an amount
5 at least equal to the amount of the grant. In determining whether a grantee has
6 obtained sufficient funding from sources other than the state, the department shall
7 credit the grantee’s capital expenditures, family supporting wages, rent or other
8 facility costs, electricity costs, equipment leases, and software expenditures. The
9 total amount of grants awarded under this subsection may not exceed \$500,000.

10 (b) Not more than 45 days after the effective date of this paragraph, the
11 department of commerce shall promulgate, as emergency rules under section 227.24
12 of the statutes, rules necessary to administer this subsection. Notwithstanding
13 section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide
14 evidence that promulgating a rule under this subsection as an emergency rule is
15 necessary for the preservation of public peace, health, safety, or welfare and is not
16 required to provide a finding of emergency for a rule promulgated under this
17 subsection.

18 (c) Notwithstanding paragraph (a) if, by the first day of the 12th month
19 beginning after the effective date of the rules promulgated under paragraph (b), the
20 department of commerce has not received applications for grants under this
21 subsection totaling \$500,000, the department may spend an amount equal to the
22 difference between the unencumbered balance of the appropriation account under
23 section 20.143 (1) (cp) of the statutes, as created by this act, and the total amount of
24 grants under this subsection for which it has received applications or \$250,000,
25 whichever is less, from the appropriation under section 20.143 (1) (cp) of the statutes,

1 as created by this act, for any purpose specified under section 20.143 (1) (c) of the
2 statutes, as affected by this act.”.

3 **14.** Page 25, line 17: after that line insert:

4 “(5m) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes does
5 not apply to the action of the legislature in enacting this act.

6 (6) RECONCILIATION; LOANS TO MANUFACTURING BUSINESSES. If 2009 Wisconsin Act
7 ... (Assembly Bill 904) is not enacted and if 2009 Wisconsin Act ... (Senate Bill 651)
8 is not enacted, SECTIONS 46 (1) (d) and 48 (3) of this act are void.”.

9 **15.** Page 26, line 2: delete lines 2 to 5 and substitute “increased by \$500,000
for the second fiscal year of the fiscal biennium in which this paragraph takes effect
to increase funding for the purposes for which the appropriation is made.”.

10 **16.** Page 26, line 10: after that line insert:

11 “(c) In the schedule under section 20.005 (3) of the statutes for the
12 appropriation to the department of commerce under section 20.143 (1) (c) of the
13 statutes, as affected by the acts of 2009, the dollar amount is increased by \$2,000,000
14 for the second fiscal year of the fiscal biennium in which this paragraph takes effect
15 to provide funding for grants under SECTION 45 (3) of this act.

16 (d) In the schedule under section 20.005 (3) of the statutes for the appropriation
17 to the department of commerce under section 20.143 (1) (c) of the statutes, as affected
18 by the acts of 2010, the dollar amount is increased by an amount equal to the
19 difference between \$2,000,000 and the total amount of grants awarded under
20 SECTION 45 (3) of this act as of June 30, 2011, to provide funding for loans to
21 manufacturing businesses for implementing energy efficiency measures in their
22 facilities, for retooling to manufacture products that support the green economy, for

1 expanding or establishing domestic clean energy manufacturing, or for creating jobs
2 or retaining workers engaged in the preceding activities.”.

3 **17.** Page 26, line 18: delete the material beginning with that line and ending
with page 27, line 2.

4 **18.** Page 27, line 9: delete “REGULATORY OMBUDSMAN CENTER” and substitute
“OFFICE OF REGULATORY ASSISTANCE”.

5 **19.** Page 27, line 13: after “positions” insert “in the department by 1.0 GPR
position”.

6 **20.** Page 27, line 13: after “for the” insert “purpose of performing the
responsibilities assigned to the office of”.

7 **21.** Page 27, line 14: delete “ombudsman center by 1.0 GPR position” and
substitute “assistance under this act”.

8 **22.** Page 27, line 14: after that line insert:

9 “(6) SMALL BUSINESS OMBUDSMAN AND OFFICE OF REGULATORY ASSISTANCE FUNDING.

10 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
11 department of commerce under section 20.143 (1) (a) of the statutes, as affected by
12 the acts of 2009, the dollar amount is increased by \$75,000 for the second fiscal year
13 of the fiscal biennium in which this subsection takes effect to provide supplemental
14 funding so that a previously–authorized 1.0 FTE GPR small business ombudsman
15 position is funded for a full year for the purpose of performing the responsibilities
16 assigned to the office of regulatory assistance under this act.”.

17 **23.** Page 28, line 2: after that line insert:

