



**SENATE AMENDMENT 2,
TO SENATE BILL 205**

June 5, 2013 – Offered by Senator COWLES.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 11: after “Corporation” insert “and reporting requirements for
3 various agencies concerning economic development programs”.
- 4 **2.** Page 3, line 1: delete lines 1 to 6.
- 5 **3.** Page 4, line 18: delete the material beginning with that line and ending with
6 page 10, line 23.
- 7 **4.** Page 11, line 10: delete the material beginning with that line and ending
8 with page 12, line 10.
- 9 **5.** Page 12, line 10: after that line insert:
- 10 “**SECTION 29b.** 23.167 (2) (c) of the statutes is amended to read:
- 11 23.167 (2) (c) Require that each recipient of a grant ~~or~~, loan, or allocation of a
12 tax benefit under the program submit a report to the department. Each contract with

1 a recipient of a grant ~~or~~, loan, or allocation of a tax benefit under the program shall
2 specify the frequency and format of the report to be submitted to the department and
3 the performance measures to be included in the report.

4 **SECTION 29bm.** 23.167 (2) (e) of the statutes is amended to read:

5 23.167 (2) (e) Annually and independently verify, from a sample of grants ~~and~~,
6 loans, and allocated tax benefits, the accuracy of the information required to be
7 reported under par. (c).

8 **SECTION 29c.** 23.169 (2) of the statutes is renumbered 23.169 (2) (a) (intro.) and
9 amended to read:

10 23.169 (2) (a) Annually, no later than October 1, the department shall submit
11 to the joint legislative audit committee and to the appropriate standing committees
12 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
13 development programs, as defined in s. 23.167 (1), administered by the department.
14 The report shall include all of the ~~information~~ following:

15 1. The information required under s. 238.07 (2).

16 (b) The department shall collaborate with the Wisconsin Economic
17 Development Corporation to make readily accessible to the public on an
18 Internet-based system the information required under this section.

19 **SECTION 29d.** 23.169 (2) (a) 2. and 3. of the statutes are created to read:

20 23.169 (2) (a) 2. The number of recipients of a grant, loan, or allocation of a tax
21 benefit under each program that satisfied the requirements under s. 23.167 (2) (c)
22 and (f) and a list that identifies each recipient of a grant, loan, or allocation of a tax
23 benefit under each program that failed to satisfy one or more of those requirements.

24 3. The results of the independent verification under s. 23.167 (2) (e).

25 **SECTION 29e.** 36.09 (1) (am) 3. of the statutes is amended to read:

1 36.09 (1) (am) 3. Require that each recipient of a grant ~~or~~, loan, or allocation
2 of a tax benefit under the program submit a report to the board. Each contract with
3 a recipient of a grant ~~or~~, loan, or allocation of a tax benefit under the program shall
4 specify the frequency and format of the report to be submitted to the board and the
5 performance measures to be included in the report.

6 **SECTION 29f.** 36.09 (1) (am) 5. of the statutes is amended to read:

7 36.09 (1) (am) 5. Annually and independently verify, from a sample of grants
8 ~~and~~, loans, and allocated tax benefits, the accuracy of the information required to be
9 reported under subd. 3.

10 **SECTION 29g.** 36.11 (29r) (b) 2. of the statutes is amended to read:

11 36.11 (29r) (b) 2. Annually, no later than October 1, the board shall submit to
12 the joint legislative audit committee and to the appropriate standing committees of
13 the legislature under s. 13.172 (3) a comprehensive report assessing economic
14 development programs administered by the board. The report shall include all of the
15 information required under s. 238.07 (2); the number of recipients of a grant, loan,
16 or allocation of a tax benefit under each program that satisfied the requirements
17 under s. 36.09 (1) (am) 3. and 6. and a list that identifies each recipient of a grant,
18 loan, or allocation of a tax benefit under each program that failed to satisfy one or
19 more of those requirements; and the results of the independent verification under s.
20 36.09 (1) (am) 5. The board shall collaborate with the Wisconsin Economic
21 Development Corporation to make readily accessible to the public on an
22 Internet-based system the information required under this subsection.

23 **SECTION 29h.** 38.04 (1m) (b) 3. of the statutes is amended to read:

24 38.04 (1m) (b) 3. Require that each recipient of a grant ~~or~~, loan, or allocation
25 of a tax benefit under the program submit a report to the board. Each contract with

1 a recipient of a grant ~~or~~, loan, or allocation of a tax benefit under the program shall
2 specify the frequency and format of the report to be submitted to the board and the
3 performance measures to be included in the report.

4 **SECTION 29i.** 38.04 (1m) (b) 5. of the statutes is amended to read:

5 38.04 **(1m)** (b) 5. Annually and independently verify, from a sample of grants
6 ~~and~~, loans, and allocated tax benefits, the accuracy of the information required to be
7 reported under subd. 3.

8 **SECTION 29j.** 38.04 (10m) (b) of the statutes is amended to read:

9 38.04 **(10m)** (b) Annually, no later than October 1, the board shall submit to
10 the joint legislative audit committee and to the appropriate standing committees of
11 the legislature under s. 13.172 (3) a comprehensive report assessing economic
12 development programs, as defined in sub. (1m) (a), administered by the board. The
13 report shall include all of the information required under s. 238.07 (2); the number
14 of recipients of a grant, loan, or allocation of a tax benefit under each program that
15 satisfied the requirements under s. 38.04 (1m) (b) 3. and 6. and a list that identifies
16 each recipient of a grant, loan, or allocation of a tax benefit under each program that
17 failed to satisfy one or more of those requirements; and the results of the independent
18 verification under s. 38.04 (1m) (b) 5. The board shall collaborate with the Wisconsin
19 Economic Development Corporation to make readily accessible to the public on an
20 Internet-based system the information required under this subsection.

21 **SECTION 29k.** 41.11 (1g) (b) 3. of the statutes is amended to read:

22 41.11 **(1g)** (b) 3. Require that each recipient of a grant ~~or~~, loan, or allocation of
23 a tax benefit under the program submit a report to the department. Each contract
24 with a recipient of a grant ~~or~~, loan, or allocation of a tax benefit under the program

1 shall specify the frequency and format of the report to be submitted to the
2 department and the performance measures to be included in the report.

3 **SECTION 29L.** 41.11 (1g) (b) 5. of the statutes is amended to read:

4 41.11 **(1g)** (b) 5. Annually and independently verify, from a sample of grants
5 ~~and, loans, and allocated tax benefits,~~ the accuracy of the information required to be
6 reported under subd. 3.

7 **SECTION 29m.** 41.11 (1r) (b) of the statutes is amended to read:

8 41.11 **(1r)** (b) Annually, no later than October 1, the department shall submit
9 to the joint legislative audit committee and to the appropriate standing committees
10 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
11 development programs, as defined in sub. (1g) (a), administered by the department.
12 The report shall include all of the information required under s. 238.07 (2); the
13 number of recipients of a grant, loan, or allocation of a tax benefit under each
14 program that satisfied the requirements under s. 41.11 (1g) (b) 3. and 6. and a list
15 that identifies each recipient of a grant, loan, or allocation of a tax benefit under each
16 program that failed to satisfy one or more of those requirements; and the results of
17 the independent verification under s. 41.11 (1g) (b) 5. The department shall
18 collaborate with the Wisconsin Economic Development Corporation to make readily
19 accessible to the public on an Internet-based system the information required under
20 this subsection.

21 **SECTION 29n.** 84.01 (6m) (b) 3. of the statutes is amended to read:

22 84.01 **(6m)** (b) 3. Require that each recipient of a grant ~~or, loan, or allocation~~
23 of a tax benefit under the program submit a report to the department. Each contract
24 with a recipient of a grant ~~or, loan, or allocation of a tax benefit~~ under the program

1 shall specify the frequency and format of the report to be submitted to the
2 department and the performance measures to be included in the report.

3 **SECTION 29o.** 84.01 (6m) (b) 5. of the statutes is amended to read:

4 84.01 **(6m)** (b) 5. Annually and independently verify, from a sample of grants
5 ~~and, loans, and allocated tax benefits,~~ the accuracy of the information required to be
6 reported under subd. 3.

7 **SECTION 29p.** 84.01 (11m) (b) of the statutes is amended to read:

8 84.01 **(11m)** (b) Annually, no later than October 1, the department shall submit
9 to the joint legislative audit committee and to the appropriate standing committees
10 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
11 development programs, as defined in sub. (6m) (a), administered by the department.
12 The report shall include all of the information required under s. 238.07 (2); the
13 number of recipients of a grant, loan, or allocation of a tax benefit under each
14 program that satisfied the requirements under s. 84.01 (6m) (b) 3. and 6. and a list
15 that identifies each recipient of a grant, loan, or allocation of a tax benefit under each
16 program that failed to satisfy one or more of those requirements; and the results of
17 the independent verification under s. 84.01 (6m) (b) 5. The department shall
18 collaborate with the Wisconsin Economic Development Corporation to make readily
19 accessible to the public on an Internet-based system the information required under
20 this subsection.

21 **SECTION 29q.** 93.07 (18) (b) 3. of the statutes is amended to read:

22 93.07 **(18)** (b) 3. Require that each recipient of a grant ~~or, loan, or allocation of~~
23 a tax benefit under the program submit a report to the department. Each contract
24 with a recipient of a grant ~~or, loan, or allocation of a tax benefit~~ under the program

1 shall specify the frequency and format of the report to be submitted to the
2 department and the performance measures to be included in the report.

3 **SECTION 29r.** 93.07 (18) (b) 5. of the statutes is amended to read:

4 93.07 (18) (b) 5. Annually and independently verify, from a sample of grants
5 ~~and, loans, and allocated tax benefits,~~ the accuracy of the information required to be
6 reported under subd. 3.

7 **SECTION 29s.** 93.07 (20) (b) of the statutes is amended to read:

8 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
9 legislative audit committee and to the appropriate standing committees of the
10 legislature under s. 13.172 (3) a comprehensive report assessing economic
11 development programs, as defined in sub. (18) (a), administered by the department.
12 The report shall include all of the information required under s. 238.07 (2); the
13 number of recipients of a grant, loan, or allocation of a tax benefit under each
14 program that satisfied the requirements under s. 93.07 (18) (b) 3. and 6. and a list
15 that identifies each recipient of a grant, loan, or allocation of a tax benefit under each
16 program that failed to satisfy one or more of those requirements; and the results of
17 the independent verification under s. 93.07 (18) (b) 5. The department shall
18 collaborate with the Wisconsin Economic Development Corporation to make readily
19 accessible to the public on an Internet-based system the information required under
20 this subsection.

21 **SECTION 29t.** 234.032 (2) (c) of the statutes is amended to read:

22 234.032 (2) (c) Require that each recipient of a grant ~~or, loan, or allocation of~~
23 a tax benefit under the program submit a report to the authority. Each contract with
24 a recipient of a grant ~~or, loan, or allocation of a tax benefit~~ under the program shall

1 specify the frequency and format of the report to be submitted to the authority and
2 the performance measures to be included in the report.

3 **SECTION 29u.** 234.032 (2) (e) of the statutes is amended to read:

4 234.032 (2) (e) Annually and independently verify, from a sample of grants and,
5 loans, and allocated tax benefits, the accuracy of the information required to be
6 reported under par. (c).

7 **SECTION 29v.** 234.255 (2) of the statutes is renumbered 234.255 (2) (a) (intro.)
8 and amended to read:

9 234.255 (2) (a) (intro.) Annually, no later than October 1, the authority shall
10 submit to the joint legislative audit committee and to the appropriate standing
11 committees of the legislature under s. 13.172 (3) a comprehensive report assessing
12 economic development programs, as defined in s. 234.032 (1), administered by the
13 authority. The report shall include all of the ~~information~~ following:

14 1. The information required under s. 238.07 (2).

15 (b) The authority shall collaborate with the Wisconsin Economic Development
16 Corporation to make readily accessible to the public on an Internet-based system the
17 information required under this section.

18 **SECTION 29w.** 234.255 (2) (a) 2. and 3. of the statutes are created to read:

19 234.255 (2) (a) 2. The number of recipients of a grant, loan, or allocation of a
20 tax benefit under each program that satisfied the requirements under s. 234.032 (2)
21 (c) and (f) and a list that identifies each recipient of a grant, loan, or allocation of a
22 tax benefit under each program that failed to satisfy one or more of those
23 requirements.

24 3. The results of the independent verification under s. 234.032 (2) (e).”.

- 1 **6.** Page 12, line 19: after “assembly,” insert “to serve for 6-year terms or their
2 terms of office, whichever is shorter.”
- 3 **7.** Page 12, line 22: after “senate,” insert “to serve for 6-year terms or their
4 terms of office, whichever is shorter.”
- 5 **8.** Page 14, line 1: delete “Assist the chairperson to identify” and substitute
6 “Identify”.
- 7 **9.** Page 14, line 13: substitute “benefits.” for “benefits”.
- 8 **10.** Page 14, line 16: delete “**nonprofit organization**” and substitute
9 “**private foundation or other entity**”.
- 10 **11.** Page 14, line 16: delete the material beginning with “DEFINITION” and
11 ending with “(a)” on line 21.
- 12 **12.** Page 14, line 21: delete the material beginning with “nonprofit” and
13 ending with “organization” on line 22 and substitute “private foundation or any other
14 entity, whether operated for profit or not for profit,”.
- 15 **13.** Page 14, line 22: substitute “sub. (2)” for “par. (b)”.
- 16 **14.** Page 14, line 23: substitute “**(2)** (a)” for “(b) 1.”.
- 17 **15.** Page 14, line 23: delete “chief executive officer of the corporation” and
18 substitute “board”.
- 19 **16.** Page 14, line 24: delete “nonprofit organization” and substitute “private
20 foundation or other entity”.
- 21 **17.** Page 15, line 1: delete the material beginning with “nonprofit” and ending
22 with “organization” on line 2 and substitute “private foundation or other entity”.
- 23 **18.** Page 15, line 3: substitute “(b)” for “2.”.

1 **19.** Page 15, line 4: substitute “par. (a)” for “subd. 1.”.

2 **20.** Page 15, line 5: delete “chief executive officer of the corporation” and
3 substitute “board”.

4 **21.** Page 15, line 8: delete “chief executive officer” and substitute “board”.

5 **22.** Page 15, line 19: on lines 19 and 20, delete “that the corporation”.

6 **23.** Page 15, line 24: delete “by the corporation”.

7 **24.** Page 15, line 24: delete the material beginning with “verified by” and
8 ending with “corporation” on line 25 and substitute “verified”.

9 **25.** Page 16, line 1: substitute “(2m)” for “(2) (gm)”.

10 **26.** Page 16, line 1: after that line insert:

11 “238.07 **(2m)** The board shall include all of the following additional information
12 with its report under sub. (2):”.

13 **27.** Page 16, line 2: substitute “(a)” for “238.07 **(2)** (gm)”.

14 **28.** Page 16, lines 2: on lines 2 and 4, after “or” insert “allocation of a”.

15 **29.** Page 16, line 3: after “(c)” insert “and (3) (a)”.

16 **30.** Page 16, line 5: after “satisfy” insert “one or more of”.

17 **31.** Page 16, line 5: after that line insert:

18 “(b) The results of the independent verification under s. 238.03 (2) (e).

19 **SECTION 39m.** 238.09 of the statutes is created to read:

20 **238.09 Procurement policies and procedures.** The board shall adopt
21 policies and procedures that specify all of the following:

22 **(1)** When the corporation is required to publicly solicit proposals from multiple
23 vendors of goods or services.

1 (2) How the corporation is to evaluate proposals from multiple vendors.

2 (3) How the corporation is to assess any conflict of interest a vendor may have
3 if the vendor sells goods or services to the corporation.”.

4 **32.** Page 16, line 6: delete lines 6 and 7.

5 (END)