

1 252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the
2 department shall award \$75,000 in each fiscal year as grants for services to prevent
3 HIV infection and related infections, including hepatitis C virus infection. Criteria
4 for award of the grants shall include the criteria specified under subd. 1. The
5 department shall award 60% of the funding to applying organizations that receive
6 funding under par. (a) 8. and 40% of the funding to applying community-based
7 organizations that are operated by minority group members, as defined in s. 560.036
8 490.04 (1) (f).

9 ***-0808/2.428*** SECTION 1041. 252.15 (5g) (c) of the statutes is amended to read:
10 252.15 (5g) (c) A physician, physician assistant, or advanced practice nurse
11 prescriber, based on information provided to the physician, physician assistant, or
12 advanced practice nurse prescriber, determines and certifies in writing that the
13 person has had contact that constitutes a significant exposure. The certification
14 shall accompany the request for HIV testing and disclosure. If the person is a
15 physician, physician assistant, or advanced practice nurse prescriber, he or she may
16 not make this determination or certification. The information that is provided to a
17 physician, physician assistant, or advanced practice nurse prescriber to document
18 the occurrence of the contact that constitutes a significant exposure and the
19 physician's, physician assistant's, or advanced practice nurse prescriber's
20 certification that the person has had contact that constitutes a significant exposure,
21 shall be provided on a report form that is developed by the department of ~~commerce~~
22 safety and professional services under s. 101.02 (19) (a) or on a report form that the
23 department of ~~commerce~~ safety and professional services determines, under s.
24 101.02 (19) (b), is substantially equivalent to the report form that is developed under
25 s. 101.02 (19) (a).

1 ***-0808/2.429* SECTION 1042.** 253.15 (1) (c) of the statutes is amended to read:

2 253.15 (1) (c) "Health care provider" means any person who is licensed,
3 registered, permitted, or certified by the department of health services or the
4 department of ~~regulation and licensing~~ safety and professional services to provide
5 health care services in this state.

6 ***-0808/2.430* SECTION 1043.** 254.02 (3) (a) of the statutes is amended to read:

7 254.02 (3) (a) The department of agriculture, trade and consumer protection,
8 the department of corrections, the department of ~~commerce~~ safety and professional
9 services, and the department of natural resources shall enter into memoranda of
10 understanding with the department to establish protocols for the department to
11 review proposed rules of those state agencies relating to air and water quality,
12 occupational health and safety, institutional sanitation, toxic substances, indoor air
13 quality, food protection or waste handling and disposal.

14 ***-0808/2.431* SECTION 1044.** 254.176 (2) (e) of the statutes is amended to read:

15 254.176 (2) (e) A person who engages in the business of installing or servicing
16 heating, ventilating or air conditioning equipment if the person is registered with the
17 department of ~~commerce~~ safety and professional services and if the person engages
18 in activities that constitute lead hazard reduction, only to the extent that the
19 activities are within the scope of his or her registration.

20 ***-0808/2.432* SECTION 1045.** 254.22 (4) of the statutes is amended to read:

21 254.22 (4) Assist the department of ~~commerce~~ safety and professional services
22 with the enforcement of s. 101.123.

23 ***-0808/2.433* SECTION 1046.** 254.51 (2) of the statutes is amended to read:

24 254.51 (2) The department shall enter into memoranda of understanding with
25 the department of agriculture, trade and consumer protection, the department of

1 ~~commerce~~ safety and professional services, and the department of natural resources
2 regarding the investigation and control of animal-borne and vector-borne disease.

3 ***-0808/2.434* SECTION 1047.** 254.73 (1) of the statutes is amended to read:

4 254.73 (1) Every hotel with sleeping accommodations with more than 12
5 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.
6 provide a system of security personnel patrol, or of mechanical and electrical devices,
7 or both, adequate, according to standards established by the department of
8 ~~commerce~~ safety and professional services, to warn all guests and employees in time
9 to permit their evacuation in case of fire.

10 ***-0808/2.435* SECTION 1048.** 254.74 (1) (am) of the statutes is amended to
11 read:

12 254.74 (1) (am) Promulgate rules, in consultation with the department of
13 ~~commerce~~ safety and professional services, under which the department of health
14 services shall conduct regular inspections of sealed combustion units, as required
15 under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming
16 houses, and bed and breakfast establishments. The rules shall specify conditions
17 under which it may issue orders as specified under s. 101.149 (8) (a). The rules may
18 not require the department of health services to inspect sealed combustion units
19 during the period in which the sealed combustion units are covered by a
20 manufacturer's warranty against defects.

21 ***-0808/2.436* SECTION 1049.** 254.78 of the statutes is amended to read:

22 **254.78 Authority of department of ~~commerce~~ safety and professional**
23 **services.** Nothing in this chapter shall affect the authority of the department of
24 ~~commerce~~ safety and professional services relative to places of employment,
25 elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

1 ***-0808/2.437* SECTION 1050.** 254.79 of the statutes is amended to read:

2 **254.79 Joint employment.** The department and the department of ~~commerce~~
3 safety and professional services may employ experts, inspectors or other assistants
4 jointly.

5 ***-0805/P2.31* SECTION 1051.** 256.35 (3m) (h) of the statutes is amended to
6 read:

7 256.35 (3m) (h) *Other charges prohibited.* No local government or state agency,
8 as defined in s. ~~560.9810~~ 234.5610 (1), except the commission, may require a wireless
9 provider to collect or pay a surcharge or fee related to wireless emergency telephone
10 service.

11 ***-0808/2.438* SECTION 1052.** 281.33 (2) of the statutes is amended to read:

12 281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in
13 consultation with the department of ~~commerce~~ safety and professional services,
14 shall promulgate by rule a state storm water management plan. This state plan is
15 applicable to activities contracted for or conducted by any agency, as defined under
16 s. 227.01 (1) but also including the office of district attorney, unless that agency
17 enters into a memorandum of understanding with the department of natural
18 resources in which that agency agrees to regulate activities related to storm water
19 management. The department shall coordinate the activities of agencies, as defined
20 under s. 227.01 (1), in storm water management and make recommendations to
21 these agencies concerning activities related to storm water management.

22 ***-1369/1.7* SECTION 1053.** 281.33 (3m) (title) of the statutes is repealed.

23 ***-1369/1.8* SECTION 1054.** 281.33 (3m) (a) of the statutes is renumbered
24 101.1206 (1).

1 ***-1369/1.9* SECTION 1055.** 281.33 (3m) (b) of the statutes is renumbered
2 101.1206 (2) and amended to read:

3 101.1206 (2) The department shall require the submission of plans for erosion
4 control at construction sites described in ~~par. (a)~~ sub. (1) to the department or to a
5 county, city, village, or town to which the department has delegated authority under
6 ~~par. (d)~~ sub. (4) and shall require approval of those plans by the department or the
7 county, city, village, or town.

8 ***-1369/1.10* SECTION 1056.** 281.33 (3m) (c) of the statutes is renumbered
9 101.1206 (3) and amended to read:

10 101.1206 (3) The department shall require inspection of erosion control
11 activities and structures at construction sites described in ~~par. (a)~~ sub. (1) by the
12 department or a county, city, village, or town to which the department has delegated
13 authority under ~~par. (d)~~ sub. (4).

14 ***-1369/1.11* SECTION 1057.** 281.33 (3m) (d) of the statutes is renumbered
15 101.1206 (4).

16 ***-1369/1.12* SECTION 1058.** 281.33 (3m) (e) of the statutes is renumbered
17 101.1206 (5) and amended to read:

18 101.1206 (5) Except as provided in ~~par. (f)~~ sub. (5m), the authority of a county,
19 city, village, or town with respect to erosion control at sites described in ~~par. (a)~~ sub.
20 (1) is limited to that authority delegated under ~~par. (d)~~ sub. (4) and any other
21 authority provided in rules promulgated under this ~~subsection~~ section.

22 ***-1369/1.13* SECTION 1059.** 281.33 (3m) (f) of the statutes is renumbered
23 101.1206 (5m) and amended to read:

24 101.1206 (5m) Notwithstanding ~~pars. (a)~~ subs. (1) and ~~(e)~~ (5), a county, city,
25 village, or town that has in effect on January 1, 1994, an ordinance that establishes

1 standards for erosion control at building sites for the construction of public buildings
2 and buildings that are places of employment may continue to administer and enforce
3 that ordinance if the standards in the ordinance are more stringent than the
4 standards established under ~~par. (a)~~ sub. (1).

5 ***-1369/1.14* SECTION 1060.** 281.33 (3m) (g) of the statutes is renumbered
6 101.1206 (6) and amended to read:

7 101.1206 (6) The department, or a county, city, village, or town to which the
8 department delegates the authority to act under this ~~paragraph~~ subsection, may
9 issue a special order directing the immediate cessation of work on a construction site
10 described in ~~par. (a)~~ sub. (1) until any required plan approval is obtained or until the
11 site complies with standards established by rules promulgated under this ~~subsection~~
12 section.

13 ***-1369/1.15* SECTION 1061.** 281.33 (3m) (h) of the statutes is renumbered
14 101.1206 (7).

15 ***-0808/2.439* SECTION 1062.** 281.344 (8) (a) of the statutes is amended to read:

16 281.344 (8) (a) *Goals and objectives.* The department shall specify water
17 conservation and efficiency goals and objectives for the waters of the state. The
18 department shall specify goals and objectives for the waters of the Great Lakes basin
19 that are consistent with the goals under s. 281.343 (4b) (a) and the objectives
20 identified by the regional body under Article 304 (1) of the Great Lakes — St.
21 Lawrence River Basin Sustainable Water Resources Agreement. In specifying these
22 goals and objectives, the department shall consult with the department of ~~eommeree~~
23 safety and professional services and the public service commission.

24 ***-0808/2.440* SECTION 1063.** 281.344 (8) (b) (intro.) of the statutes is amended
25 to read:

1 281.344 (8) (b) *Statewide program.* (intro.) In cooperation with the department
2 of ~~commerce~~ safety and professional services and the public service commission, the
3 department shall develop and implement a statewide water conservation and
4 efficiency program that includes all of the following:

5 ***-0808/2.441*** SECTION 1064. 281.344 (8) (b) 3. of the statutes is amended to
6 read:

7 281.344 (8) (b) 3. Water conservation and efficiency measures that the
8 department of ~~commerce~~ safety and professional services requires or authorizes to
9 be implemented under chs. 101 and 145.

10 ***-0808/2.442*** SECTION 1065. 281.346 (8) (a) of the statutes is amended to read:

11 281.346 (8) (a) *Goals and objectives.* The department shall specify water
12 conservation and efficiency goals and objectives for the waters of the state and for the
13 waters of the Great Lakes basin. The department shall specify goals and objectives
14 for the waters of the Great Lakes basin that are consistent with the goals under s.
15 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s.
16 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department
17 shall consult with the department of ~~commerce~~ safety and professional services and
18 the public service commission and consider the water conservation and efficiency
19 goals and objectives developed in any pilot program conducted by the department in
20 cooperation with the regional body.

21 ***-0808/2.443*** SECTION 1066. 281.346 (8) (b) (intro.) of the statutes is amended
22 to read:

23 281.346 (8) (b) *Statewide program.* (intro.) In cooperation with the department
24 of ~~commerce~~ safety and professional services and the public service commission, the

1 department shall develop and implement a statewide water conservation and
2 efficiency program that includes all of the following:

3 ***-0808/2.444* SECTION 1067.** 281.346 (8) (b) 3. of the statutes is amended to
4 read:

5 281.346 (8) (b) 3. Water conservation and efficiency measures that the
6 department of ~~commerce~~ safety and professional services requires or authorizes to
7 be implemented under chs. 101 and 145.

8 ***-0808/2.445* SECTION 1068.** 281.57 (7) (c) 1. of the statutes is amended to
9 read:

10 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
11 limited in each fiscal year to receiving total grant awards not to exceed 33% of the
12 sum of the amounts in the schedule for that fiscal year for the appropriation under
13 s. ~~20.143(3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal
14 year plus the unencumbered balance at the end of the preceding fiscal year for the
15 amount authorized under sub. (10). This subdivision is not applicable to grant
16 awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

17 ***-1059/P3.578* SECTION 1069.** 281.60 (6) of the statutes is amended to read:

18 281.60 (6) PRIORITY LIST. The department shall establish a priority list that
19 ranks each land recycling loan program project. The department shall promulgate
20 rules for determining project rankings based on the potential of projects to reduce
21 environmental pollution and threats to human health and, for sites and facilities
22 that are not landfills, the extent to which projects will prevent the development of
23 undeveloped land by making land available for redevelopment after a cleanup is
24 conducted. Before the department establishes the priority list, the department shall

1 consider the recommendations of the department of administration and the
2 department of commerce Wisconsin Economic Development Corporation.

3 ***-0808/2.446* SECTION 1070.** 281.75 (18) of the statutes is amended to read:

4 281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may
5 suspend or revoke a license issued under ch. 280 if the department finds that the
6 licensee falsified information submitted under this section. The department of
7 ~~commerce~~ safety and professional services may suspend or revoke the license of a
8 plumber licensed under ch. 145 if the department of ~~commerce~~ safety and
9 professional services finds that the plumber falsified information submitted under
10 this section.

11 ***-0808/2.447* SECTION 1071.** 285.39 (4) of the statutes is amended to read:

12 285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the
13 replenishment implementation period, if the department reports under sub. (2) (b)
14 1. or determines at any other time that the growth accommodation is less than 3,500
15 tons, the department shall, with the advice of the department of ~~commerce~~ safety and
16 professional services, submit a report to the chief clerk of each house of the
17 legislature for distribution to the appropriate standing committees of the legislature
18 under s. 13.172 (3) on how to most effectively and equitably replenish the growth
19 accommodation. The report shall review existing studies and data to evaluate the
20 accuracy of this state's state implementation plan with respect to the effect of
21 emissions from inside and outside the volatile organic compound accommodation
22 area on the ambient air quality within the area.

23 ***-1059/P3.579* SECTION 1072.** 285.79 (3) (intro.) of the statutes is amended
24 to read:

1 285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation~~
2 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and
3 administer a small business stationary source technical and environmental
4 compliance assistance program. The program shall include all of the following:

5 *~~-0808/2.448~~* SECTION 1073. 292.11 (2) (e) of the statutes is amended to read:

6 292.11 (2) (e) The department shall report notifications that it receives under
7 this subsection related to discharges from petroleum storage tanks, as defined in s.
8 101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

9 *~~-1059/P3.580~~* SECTION 1074. 292.11 (7) (d) 1m. b. of the statutes is amended
10 to read:

11 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
12 area consists of 2 or more properties affected by a contiguous region of groundwater
13 contamination or contains 2 or more properties that are brownfields, as defined in
14 s. ~~560.13~~ 238.13 (1) (a).

15 *~~-0808/2.449~~* SECTION 1075. 292.12 (1) (a) of the statutes is amended to read:

16 292.12 (1) (a) "Agency with administrative authority" means the department
17 of agriculture, trade and consumer protection with respect to a site over which it has
18 jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional
19 services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a),
20 or the department of natural resources with respect to a site over which it has
21 jurisdiction under s. 292.11 (7).

22 *~~-1059/P3.581~~* SECTION 1076. 292.255 of the statutes is amended to read:

23 **292.255 Report on brownfield efforts.** The department of natural
24 resources, the department of administration, and the ~~department of commerce~~
25 Wisconsin Economic Development Corporation shall submit a report evaluating the

1 effectiveness of this state's efforts to remedy the contamination of, and to redevelop,
2 brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

3 ***-0808/2.450* SECTION 1077.** 292.33 (6) of the statutes is amended to read:

4 292.33 (6) EXCEPTION. A local governmental unit may not recover costs under
5 this section for remedial activities conducted on a property or portion of a property
6 with respect to a discharge after the department of natural resources, the
7 department of ~~commerce~~ safety and professional services, or the department of
8 agriculture, trade and consumer protection has indicated that no further remedial
9 activities are necessary on the property or portion of the property with respect to the
10 discharge.

11 ***-1059/P3.582* SECTION 1078.** 292.79 (1) (a) of the statutes is amended to
12 read:

13 292.79 (1) (a) "Brownfields" has the meaning given in s. ~~560.13~~ 238.13 (1) (a).

14 ***-0808/2.451* SECTION 1079.** 293.11 of the statutes is amended to read:

15 **293.11 Mine effect responsibility.** The department shall serve as the central
16 unit of state government to ensure that the air, lands, waters, plants, fish and
17 wildlife affected by prospecting or mining in this state will receive the greatest
18 practicable degree of protection and reclamation. The administration of
19 occupational health and safety laws and rules that apply to mining shall remain
20 exclusively the responsibility of the department of ~~commerce~~ safety and professional
21 services. The powers and duties of the geological and natural history survey under
22 s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural
23 history survey. Nothing in this section prevents the department of ~~commerce~~ safety
24 and professional services and the geological and natural history survey from

1 cooperating with the department in the exercise of their respective powers and
2 duties.

3 ***-0808/2.452* SECTION 1080.** 299.13 (1m) (intro.) of the statutes is amended
4 to read:

5 299.13 (1m) PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the
6 duties under this section and ss. 36.25 (30) and 560.19, the department, the
7 department of ~~commerce~~ safety and professional services and the center shall
8 promote all of the following techniques for pollution prevention:

9 ***-1059/P3.583* SECTION 1081.** 299.13 (1m) (intro.) of the statutes is amended
10 to read:

11 299.13 (1m) PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the
12 duties under this section and ss. s. 36.25 (30) and ~~560.19~~, the department, the
13 department of ~~commerce~~ and the center shall promote all of the following techniques
14 for pollution prevention:

15 ***-0808/2.453* SECTION 1082.** 299.83 (8) (f) of the statutes is amended to read:

16 299.83 (8) (f) The department and the department of ~~commerce~~ safety and
17 professional services shall jointly provide information about participation contracts
18 and environmental management systems to potential participants in the program
19 and to other interested persons. The department shall consult with the department
20 of ~~commerce~~ safety and professional services about the administration of the
21 program.

22 ***-0808/2.454* SECTION 1083.** 346.503 (1m) (g) of the statutes is amended to
23 read:

24 346.503 (1m) (g) This subsection does not affect the authority under s. 101.13
25 of the department of ~~commerce~~ safety and professional services to require by rule the

1 reservation of parking spaces for use by a motor vehicle used by a physically disabled
2 person.

3 ***-0808/2.455* SECTION 1084.** 346.503 (4) of the statutes is amended to read:

4 346.503 (4) The department, after consulting with the department of
5 commerce safety and professional services, shall promulgate rules governing the
6 design, size and installation of the official traffic signs required under sub. (2) or
7 (2m).

8 ***-0808/2.456* SECTION 1085.** Chapter 440 (title) of the statutes is amended to
9 read:

10 **CHAPTER 440**

11 **DEPARTMENT OF ~~REGULATION AND~~**

12 **LICENSING SAFETY AND**

13 **PROFESSIONAL SERVICES**

14 ***-0808/2.457* SECTION 1086.** 440.01 (1) (aj) of the statutes is amended to read:

15 440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~
16 safety and professional services.

17 ***-0808/2.458* SECTION 1087.** 440.01 (1) (g) of the statutes is amended to read:

18 440.01 (1) (g) "Secretary" means the secretary of ~~regulation and licensing~~
19 safety and professional services.

20 ***-0808/2.459* SECTION 1088.** 440.01 (2) (cs) of the statutes is amended to read:

21 440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~560.036~~
22 490.04 (1) (f).

23 ***-1059/P3.584* SECTION 1089.** 440.03 (1m) of the statutes is amended to read:

24 440.03 (1m) The department may promulgate rules specifying the number of
25 business days within which the department or any examining board or affiliated

1 credentialing board in the department must review and make a determination on an
2 application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under
3 chs. 440 to 480.

4 ***-0808/2.460* SECTION 1090.** 440.03 (3q) of the statutes is amended to read:

5 440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~
6 licensing safety and professional services shall investigate any report that it receives
7 under s. 146.40 (4r) (em).

8 ***-0808/2.461* SECTION 1091.** 440.03 (11m) (c) of the statutes is amended to
9 read:

10 440.03 (11m) (c) The department of ~~regulation and licensing~~ safety and
11 professional services may not disclose a social security number obtained under par.
12 (a) to any person except the coordinated licensure information system under s.
13 441.50 (7); the department of children and families for purposes of administering s.
14 49.22; and, for a social security number obtained under par. (a) 1., the department
15 of revenue for the purpose of requesting certifications under s. 73.0301 and
16 administering state taxes.

17 ***-0808/2.462* SECTION 1092.** 440.03 (12m) of the statutes is amended to read:

18 440.03 (12m) The department of ~~regulation and licensing~~ safety and
19 professional services shall cooperate with the departments of justice, children and
20 families, and health services in developing and maintaining a computer linkup to
21 provide access to information regarding the current status of a credential issued to
22 any person by the department of ~~regulation and licensing~~ safety and professional
23 services, including whether that credential has been restricted in any way.

24 ***-0808/2.463* SECTION 1093.** 440.03 (18) (a) of the statutes is created to read:

1 440.03 (18) (a) In this subsection, “veteran” has the meaning given in s. 45.01
2 (12).

3 ***-0808/2.464*** SECTION 1094. 440.13 (1) (b) of the statutes is amended to read:

4 440.13 (1) (b) “Memorandum of understanding” means a memorandum of
5 understanding entered into by the department of ~~regulation and licensing~~ safety and
6 professional services and the department of children and families under s. 49.857.

7 ***-0808/2.465*** SECTION 1095. 440.22 (2) of the statutes is amended to read:

8 440.22 (2) In any disciplinary proceeding against a holder of a credential in
9 which the department or an examining board, affiliated credentialing board or board
10 in the department orders suspension, limitation or revocation of the credential or
11 reprimands the holder, the department, examining board, affiliated credentialing
12 board or board may, in addition to imposing discipline, assess all or part of the costs
13 of the proceeding against the holder. Costs assessed under this subsection are
14 payable to the department. Interest shall accrue on costs assessed under this
15 subsection at a rate of 12% per year beginning on the date that payment of the costs
16 are due as ordered by the department, examining board, affiliated credentialing
17 board or board. Upon the request of the department of ~~regulation and licensing~~
18 safety and professional services, the department of justice may commence an action
19 to recover costs assessed under this subsection and any accrued interest.

20 ***-0808/2.466*** SECTION 1096. 440.905 (1) of the statutes is amended to read:

21 440.905 (1) In addition to the other duties and powers of the board under this
22 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
23 and professional services on matters relating to cemeteries, to this chapter, or to the
24 board.

25 ***-0808/2.467*** SECTION 1097. 440.92 (2) (d) of the statutes is amended to read:

1 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
2 plans for the construction of the mausoleum have been submitted to the department
3 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and
4 the preneed sales contract includes the following language in not less than 10-point
5 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
6 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF COMMERCE SAFETY
7 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS
8 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE
9 PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND
10 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN
11 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF
12 COMMERCE SAFETY AND PROFESSIONAL SERVICES."

13 ***-0808/2.468*** SECTION 1098. 440.945 (5) (b) of the statutes is amended to read:

14 440.945 (5) (b) The department of justice or any district attorney, upon
15 informing the department of justice, may commence an action in circuit court in the
16 name of the state to restrain by temporary or permanent injunction any violation of
17 this section. The court may, prior to entry of final judgment, make such orders or
18 judgments as may be necessary to restore to any person any pecuniary loss suffered
19 because of the acts or practices involved in the action, if proof of such loss is submitted
20 to the satisfaction of the court. The department of justice may subpoena persons and
21 require the production of books and other documents, and may request the
22 department of ~~regulation and licensing~~ safety and professional services to exercise
23 its authority under par. (a) to aid in the investigation of alleged violations of this
24 section.

1 ***-0808/2.469* SECTION 1099.** 452.13 (2) (b) 1. of the statutes is amended to
2 read:

3 452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~
4 safety and professional services the name and address of the depository institution
5 and the number of the interest-bearing common trust account.

6 ***-0808/2.470* SECTION 1100.** 452.13 (2) (b) 2. of the statutes is amended to
7 read:

8 452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and
9 professional services when any of the information required under subd. 1. is
10 changed.

11 ***-0805/P2.32* SECTION 1101.** 452.13 (2) (b) 3. of the statutes is amended to
12 read:

13 452.13 (2) (b) 3. Furnish the department of regulation and licensing with a
14 letter authorizing the department of regulation and licensing and the ~~department~~
15 ~~of commerce~~ Wisconsin Housing and Economic Development Authority to examine
16 and audit the interest-bearing common trust account whenever the department of
17 regulation and licensing or the ~~department of commerce~~ Wisconsin Housing and
18 Economic Development Authority considers it necessary.

****NOTE: The above section transfers from Commerce to WHEDA the authority to
examine and audit real estate brokers' interest-bearing trust accounts. Is this okay, or
should the examination/audit authority be limited to the successor to DRL? Also note
that the Department of Regulation and Licensing name-change is included in a separate
bill draft; when the drafts are compiled, we will at that point resolve any inconsistencies.

19 ***-0808/2.471* SECTION 1102.** 452.13 (2) (b) 3. of the statutes is amended to
20 read:

21 452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and
22 professional services with a letter authorizing the department of ~~regulation and~~

1 ~~licensing safety and professional services~~ and the department of commerce to
2 examine and audit the interest-bearing common trust account whenever the
3 department of ~~regulation and licensing~~ safety and professional services or the
4 department of commerce considers it necessary.

5 ***-0805/P2.33* SECTION 1103.** 452.13 (2) (bm) of the statutes is amended to
6 read:

7 452.13 (2) (bm) The department of regulation and licensing shall forward to the
8 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
9 the information and documents furnished under par. (b).

10 ***-0808/2.472* SECTION 1104.** 452.13 (2) (bm) of the statutes is amended to
11 read:

12 452.13 (2) (bm) The department of ~~regulation and licensing~~ safety and
13 professional services shall forward to the department of commerce the information
14 and documents furnished under par. (b).

15 ***-0805/P2.34* SECTION 1105.** 452.13 (2) (d) of the statutes is amended to read:

16 452.13 (2) (d) ~~The department of commerce~~ Wisconsin Housing and Economic
17 Development Authority is the beneficial owner of the interest accruing to the
18 interest-bearing common trust account, minus any service charges or fees.

19 ***-0805/P2.35* SECTION 1106.** 452.13 (2) (e) 1. of the statutes is amended to
20 read:

21 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
22 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
23 interest or dividends, minus service charges or fees, earned on the average daily
24 balance in the interest-bearing common trust account during the 12 months ending
25 on the previous December 31. A depository institution is not required to remit any

1 amount if the total interest or dividends for that period is less than \$10 before any
2 deduction for service charges or fees.

3 ***-0805/P2.36* SECTION 1107.** 452.13 (2) (e) 2. of the statutes is amended to
4 read:

5 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
6 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
7 and to the broker maintaining the interest-bearing common trust account a
8 statement that includes the name of the broker for whose account the remittance is
9 made, the rate of interest applied, the amount of service charges or fees deducted,
10 if any, and the account balance for the period that the statement covers.

11 ***-0805/P2.37* SECTION 1108.** 452.13 (2) (f) 2. of the statutes is amended to
12 read:

13 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
14 common trust account against the ~~department of commerce~~ Wisconsin Housing and
15 Economic Development Authority.

16 ***-0805/P2.38* SECTION 1109.** 452.13 (2) (f) 3. of the statutes is amended to
17 read:

18 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
19 an interest-bearing common trust account, and if a balance remains, may deduct the
20 remaining charge or fee from the interest earned on any other interest-bearing
21 common trust account maintained in that depository institution, before remitting
22 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
23 Development Authority.

24 ***-0805/P2.39* SECTION 1110.** 452.13 (5) of the statutes is amended to read:

1 ***-1059/P3.588* SECTION 1118.** 560.01 (title), (1) and (2) of the statutes are
2 repealed.

3 ***-1059/P3.589* SECTION 1119.** 560.01 (3) of the statutes is renumbered 238.04
4 (14) and amended to read:

5 238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
6 agreements regarding compensation, space, and other administrative matters as are
7 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such
8 agreements shall be subject to the approval of the secretary of administration.

9 ***-1059/P3.590* SECTION 1120.** 560.02 of the statutes is repealed.

10 ***-1059/P3.591* SECTION 1121.** 560.03 (title) of the statutes is repealed.

11 ***-1059/P3.592* SECTION 1122.** 560.03 (intro.) of the statutes is repealed.

12 ***-1059/P3.593* SECTION 1123.** 560.03 (1) of the statutes is repealed.

13 ***-1059/P3.594* SECTION 1124.** 560.03 (2) of the statutes is repealed.

14 ***-1059/P3.595* SECTION 1125.** 560.03 (3) of the statutes is repealed.

15 ***-1059/P3.596* SECTION 1126.** 560.03 (4) of the statutes is repealed.

16 ***-1059/P3.597* SECTION 1127.** 560.03 (4m) of the statutes is repealed.

17 ***-1059/P3.598* SECTION 1128.** 560.03 (5) of the statutes is repealed.

18 ***-1059/P3.599* SECTION 1129.** 560.03 (6) of the statutes is repealed.

19 ***-1059/P3.600* SECTION 1130.** 560.03 (8) of the statutes is repealed.

20 ***-1059/P3.601* SECTION 1131.** 560.03 (9) of the statutes is repealed.

21 ***-1059/P3.602* SECTION 1132.** 560.03 (10) of the statutes is repealed.

22 ***-1059/P3.603* SECTION 1133.** 560.03 (11) of the statutes is repealed.

23 ***-1059/P3.604* SECTION 1134.** 560.03 (16) of the statutes is repealed.

24 ***-1059/P3.605* SECTION 1135.** 560.03 (17) of the statutes is renumbered
25 238.25 and amended to read:

1 **238.25 Assistance to loan recipients.** Assist The corporation shall assist
2 new businesses and small businesses receiving economic development loans under
3 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic
4 Development Authority in locating sources of venture capital and in obtaining the
5 state and federal licenses and permits necessary for business operations.

6 *-1059/P3.606* SECTION 1136. 560.03 (18) of the statutes is repealed.

7 *-1059/P3.607* SECTION 1137. 560.03 (19) of the statutes is repealed.

8 *-1059/P3.608* SECTION 1138. 560.03 (20) of the statutes is repealed.

9 *-1059/P3.609* SECTION 1139. 560.03 (21) of the statutes is repealed.

10 *-1059/P3.610* SECTION 1140. 560.03 (22) of the statutes is repealed.

11 *-1059/P3.611* SECTION 1141. 560.03 (23) of the statutes is repealed.

12 *-1059/P3.612* SECTION 1142. 560.03 (25) of the statutes is repealed.

13 *-1059/P3.613* SECTION 1143. 560.03 (26) of the statutes is repealed.

14 *-1059/P3.614* SECTION 1144. 560.031 of the statutes is repealed.

15 *-1059/P3.615* SECTION 1145. 560.032 of the statutes is renumbered 238.10

16 and amended to read:

17 **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**

18 The ~~department, by rule,~~ corporation shall establish under 26 USC 146 and
19 administer a system for the allocation of the volume cap on the issuance of private
20 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined
21 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and
22 among this state, the Wisconsin Health and Educational Facilities Authority, the
23 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic
24 Development Authority.

1 (2) AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year,
2 the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation
3 system established for that year under sub. (1), except that any revision under this
4 subsection does not apply to any allocation under which the recipient of that
5 allocation has adopted a resolution authorizing the issuance of a private activity
6 bond, as defined in 26 USC 141 (a).

7 (3) CONDITIONS. The ~~department~~ corporation may establish, ~~by rule~~, any
8 procedure for, and place any condition upon, the granting of an allocation under this
9 section which the ~~department~~ corporation deems to be in the best interest of the state
10 including, ~~but not limited to~~, a requirement that a cash deposit, at a rate established
11 by the ~~department in the rules~~ corporation, be a condition for an allocation.

12 (4) CERTIFICATION. If the ~~secretary~~ corporation receives notice of the issuance
13 of a bond under an allocation under subs. (1) to (3), the ~~secretary~~ corporation shall
14 certify that that bond meets the requirements of 26 USC 146.

15 *-1059/P3.616* SECTION 1146. 560.033 of the statutes is repealed.

16 *-0808/2.477* SECTION 1147. 560.0335 of the statutes is renumbered 490.02.

17 *-1059/P3.617* SECTION 1148. 560.034 of the statutes is renumbered 238.11,
18 and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are amended to read:

19 238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be
20 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation
21 shall include on the forms a requirement for information on the number of jobs the
22 person submitting the notice expects to be eliminated, created, or maintained on the
23 project site and elsewhere in this state by the project which is the subject of the
24 notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.
25 66.1103 (4m) (b) and 234.65 (3r).

1 (2) If the ~~department~~ corporation receives a notice under s. 66.1103 (4m) (a),
2 the ~~department~~ corporation shall estimate, no later than 20 days after receipt of the
3 notice, whether the project ~~which~~ that is the subject of the notice is expected to
4 eliminate, create, or maintain jobs on the project site and elsewhere in this state and
5 the net number of jobs expected to be eliminated, created, or maintained as a result
6 of the project.

7 (3) If the ~~department~~ corporation receives a notice under s. 234.65 (3) (a), the
8 ~~department~~ corporation shall estimate, no later than 20 days after receipt of the
9 notice, whether the project which is the subject of the notice is expected to eliminate,
10 create, or maintain jobs on the project site and elsewhere in this state and the net
11 number of jobs expected to be eliminated, created, or maintained as a result of the
12 project.

13 (5) (intro.) The ~~department~~ corporation shall issue an estimate made:

14 ***-0808/2.478* SECTION 1149.** 560.035 of the statutes is renumbered 490.03.

15 ***-0808/2.479* SECTION 1150.** 560.036 of the statutes is renumbered 490.04.

16 ***-0808/2.480* SECTION 1151.** 560.037 of the statutes is renumbered 490.06,
17 and 490.06 (1) (intro.) of the statutes, as renumbered, is amended to read:

18 490.06 (1) (intro.) Subject to sub. (3), the department may make grants from
19 the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative
20 corporation to fund its operating costs if all of the following apply:

21 ***-1059/P3.618* SECTION 1152.** 560.037 of the statutes is repealed. ✓

22 ***-1059/P3.619* SECTION 1153.** 560.04 of the statutes is repealed.

23 ***-1059/P3.620* SECTION 1154.** 560.045 of the statutes is repealed.

24 ***-1059/P3.621* SECTION 1155.** 560.047 of the statutes is repealed.

25 ***-1059/P3.622* SECTION 1156.** 560.05 of the statutes is repealed.

1 ***-1059/P3.623* SECTION 1157.** 560.07 of the statutes is repealed.

2 ***-1059/P3.624* SECTION 1158.** 560.075 of the statutes is renumbered 238.12,
3 and 238.12 (2), as renumbered, is amended to read:

4 238.12 (2) The ~~department~~ corporation may not award a grant or loan under
5 this chapter to a person or certify a person to receive tax benefits unless the
6 ~~department~~ corporation enters into an agreement with the person that requires the
7 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the
8 grant or loan or being certified to receive tax benefits, the person ceases to conduct
9 in this state the economic activity for which the person received the grant or loan or
10 for which the person was certified to receive tax benefits and commences
11 substantially the same economic activity outside this state.

12 ***-1059/P3.625* SECTION 1159.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f),
13 (g), (h), (i) and (j) of the statutes are repealed.

14 ***-1059/P3.626* SECTION 1160.** 560.08 (2) (m) of the statutes is renumbered
15 238.26 and amended to read:

16 **238.26 Report to investment board.** No later than September 30 of each
17 even-numbered year, the corporation shall submit to the investment board a report
18 describing the types of investments in businesses in this state ~~which~~ that will have
19 the greatest likelihood of enhancing economic development in this state.

20 ***-1059/P3.627* SECTION 1161.** 560.081 of the statutes is repealed.

21 ***-1059/P3.628* SECTION 1162.** 560.082 of the statutes is repealed.

22 ***-1059/P3.629* SECTION 1163.** 560.09 of the statutes is repealed.

23 ***-1059/P3.630* SECTION 1164.** 560.097 of the statutes is renumbered 238.15
24 and amended to read:

1 **238.15 Notification of position openings; compliance.** The department
2 corporation shall monitor compliance with the position-opening notification
3 requirements under ss. 66.1103 (6m) and 106.16.

4 ***-1059/P3.631* SECTION 1165.** 560.11 of the statutes is repealed.

5 ***-0808/2.481* SECTION 1166.** 560.125 of the statutes is renumbered 101.45,
6 and 101.45 (4) (d) of the statutes, as renumbered, is amended to read:

7 101.45 (4) (d) In any fiscal year, the department may not pay to any one
8 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
9 20.165 (2) (sm) for the fiscal year.

10 ***-1059/P3.632* SECTION 1167.** 560.126 of the statutes is repealed.

11 ***-0808/2.482* SECTION 1168.** 560.126 (2) (b) 2. of the statutes is amended to
12 read:

13 560.126 (2) (b) 2. Whether the applicant is a small business, a minority
14 business under s. ~~560.036~~ 490.04 (1) (e), a locally owned business, or a farm.

15 ***-1059/P3.633* SECTION 1169.** 560.128 of the statutes is repealed.

16 ***-1059/P3.634* SECTION 1170.** 560.13 (1), (2), (3), (5) and (6m) of the statutes
17 are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1.,
18 (3) (intro.) and (f) and (5), as renumbered, are amended to read:

19 238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
20 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if
21 all of the following apply:

22 (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
23 Cash contributions may be of private or public funds, ~~excluding funds obtained under~~
24 ~~the program under s. 560.17 or under any program under subch. II or V of this~~
25 ~~chapter.~~ In-kind contributions shall be limited to actual remediation services.

1 (3) (intro.) The department corporation may consider the following criteria in
2 making awards under this section:

3 (f) Any other factors considered by the department corporation to be relevant
4 to assessing the viability and feasibility of the project.

5 (5) Before the department corporation awards a grant under this section, the
6 department corporation shall consider the recommendations of the department of
7 administration and the department of natural resources.

8 *-1059/P3.635* SECTION 1171. 560.13 (4) of the statutes is repealed.

9 *-1059/P3.636* SECTION 1172. 560.13 (6) of the statutes is repealed.

10 *-1059/P3.637* SECTION 1173. 560.138 of the statutes is repealed.

11 *-1059/P3.638* SECTION 1174. 560.139 of the statutes is repealed.

12 *-1059/P3.639* SECTION 1175. 560.145 of the statutes is repealed.

13 *-1059/P3.640* SECTION 1176. 560.15 of the statutes is repealed.

14 *-1059/P3.641* SECTION 1177. 560.155 of the statutes is repealed.

15 *-1059/P3.642* SECTION 1178. 560.157 of the statutes is repealed.

16 *-1059/P3.643* SECTION 1179. 560.165 of the statutes is repealed.

17 *-1059/P3.644* SECTION 1180. 560.167 of the statutes is repealed.

18 *-1059/P3.645* SECTION 1181. 560.17 of the statutes is repealed.

19 *-1059/P3.646* SECTION 1182. 560.19 of the statutes is repealed.

20 *-1059/P3.647* SECTION 1183. 560.203 of the statutes is repealed.

21 *-1059/P3.648* SECTION 1184. 560.204 of the statutes is renumbered 238.14

22 and amended to read:

23 **238.14 Hardware and software used to maintain medical records. (1)**

24 The department corporation shall implement a program to certify health care

1 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),
2 71.28 (5i), and 71.47 (5i).

3 (2) If the ~~department~~ corporation certifies a health care provider under sub.
4 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to
5 the health care provider. The total amount of electronic medical records credits
6 allocated to health care providers in any year may not exceed \$10,000,000.

7 (3) The ~~department~~ corporation shall inform the department of revenue of
8 every health care provider certified under sub. (1) and the amount of credits allocated
9 to the health care provider.

10 (4) The ~~department~~ corporation, in consultation with the department of
11 revenue, shall ~~promulgate~~ adopt rules to administer this section.

12 ***-1059/P3.649* SECTION 1185.** 560.205 of the statutes is renumbered 238.15,
13 and 238.15 (1) (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and b. and (e), as
14 renumbered, are amended to read:

15 238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation
16 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
17 business desiring certification shall submit an application to the ~~department~~
18 corporation in each taxable year for which the business desires certification. The
19 business shall specify in its application the investment amount it wishes to raise and
20 the ~~department~~ corporation may certify the business and determine the amount that
21 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~
22 ~~the department, a~~ A business may be certified under this subsection, and may
23 maintain such certification, only if the business satisfies all of the following
24 conditions:

1 (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation
2 shall implement a program to certify investment fund managers for purposes of ss.
3 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
4 certification shall submit an application to the ~~department~~ corporation. The
5 investment fund manager shall specify in the application the investment amount
6 that the manager wishes to raise and the ~~department~~ corporation may certify the
7 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),
8 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
9 fund manager, the ~~department~~ corporation shall consider the investment fund
10 manager's experience in managing venture capital funds, the past performance of
11 investment funds managed by the applicant, the expected level of investment in the
12 investment fund to be managed by the applicant, and any other relevant factors. The
13 ~~department~~ corporation may certify only investment fund managers that commit to
14 consider placing investments in businesses certified under sub. (1).

15 (3) (a) *List of certified businesses and investment fund managers.* The
16 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)
17 and investment fund managers certified under sub. (2) and shall permit public access
18 to the lists through the ~~department's~~ corporation's Internet Web site.

19 (b) *Notification of department of revenue.* The ~~department of commerce~~
20 corporation shall notify the department of revenue of every certification issued under
21 ~~sub.~~ subs. (1) and (2) and the date on which any such certification is revoked or
22 expires.

23 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation
24 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this
25 section. The rules shall further define "bona fide angel investment" for purposes of

1 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under
2 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.
3 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,
4 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years
5 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for
6 calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning
7 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
8 an additional \$250,000 for tax credits that may be claimed for investments in
9 nanotechnology businesses certified under sub. (1). The rules shall also limit the
10 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and
11 76.638 that may be claimed for investments paid to fund managers certified under
12 sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December
13 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar
14 years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for
15 calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning
16 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
17 an additional \$250,000 for tax credits that may be claimed for investments in
18 nanotechnology businesses certified under sub. (1). The rules shall also provide that,
19 for calendar years beginning after December 31, 2007, no person may receive a credit
20 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's
21 investment is kept in a certified business, or with a certified fund manager, for no less
22 than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits
23 under this section that are unused in any calendar year to a person eligible for tax
24 benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

1 1. The ~~department~~ corporation notifies the joint committee on finance in
2 writing of its proposed reallocation.

3 2. a. The cochairpersons of the joint committee on finance fail to notify the
4 ~~department~~ corporation, within 14 working days after the date of the ~~department's~~
5 corporation's notification under subd. 1., that the committee has scheduled a meeting
6 for the purpose of reviewing the proposed reallocation.

7 b. The cochairpersons of the joint committee on finance notify the ~~department~~
8 corporation that the committee has approved the proposed reallocation.

9 (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
10 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person
11 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
12 of ch. 76, if the person receives prior authorization from the investment fund
13 manager and the manager then notifies the ~~department of commerce~~ corporation
14 and the department of revenue of the transfer and submits with the notification a
15 copy of the transfer documents. No person may sell or otherwise transfer a credit as
16 provided in this paragraph more than once in a 12-month period. The ~~department~~
17 corporation may charge any person selling or otherwise transferring a credit under
18 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. The
19 ~~department shall deposit all fees collected under this paragraph in the appropriation~~
20 ~~account under s. 20.143 (1) (gm).~~

21 ***-1059/P3.650*** SECTION 1186. 560.2055 (title) and (1) of the statutes are
22 renumbered 238.16 (title) and (1).

23 ***-1059/P3.651*** SECTION 1187. 560.2055 (2) of the statutes is renumbered
24 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

1 238.16 (2) (intro.) The ~~department~~ corporation may certify a person to receive
2 tax benefits under this section if all of the following apply:

3 (b) The person applies under this section and enters into a contract with the
4 ~~department~~ corporation.

5 ***-1059/P3.652* SECTION 1188.** 560.2055 (3) (intro.) and (c) of the statutes are
6 renumbered 238.16 (3) (intro.) and (c) and amended to read:

7 238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.
8 (2) may receive tax benefits under this section if, in each year for which the person
9 claims tax benefits under this section, ~~the person increases net employment in the~~
10 ~~person's business and~~ one of the following ~~apply~~ applies:

11 (c) In a tier I county or municipality or a tier II county or municipality, the
12 person increases net employment in the person's business and improves the
13 job-related skills of any eligible employee, trains any eligible employee on the use
14 of job-related new technologies, or provides job-related training to any eligible
15 employee whose employment with the person represents the employee's first
16 full-time job.

17 ***-1059/P3.653* SECTION 1189.** 560.2055 (3) (a) of the statutes is repealed.

18 ***-1059/P3.654* SECTION 1190.** 560.2055 (3) (b) of the statutes is repealed.

19 ***-1059/P3.655* SECTION 1191.** 560.2055 (4) (title) and (a) of the statutes are
20 renumbered 238.16 (4) (title) and (a).

21 ***-1059/P3.656* SECTION 1192.** 560.2055 (4) (b) 1. (intro.) of the statutes is
22 renumbered 238.16 (4) (b) 1. and amended to read:

23 238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified
24 under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10
25 percent of the wages paid by the person to that employee ~~if that employee earned~~

1 ~~wages in the year for which the tax benefit is claimed equal to one of the following:~~
2 or \$10,000, whichever is less.

3 ***-1059/P3.657* SECTION 1193.** 560.2055 (4) (b) 1. a. and b. of the statutes are
4 repealed.

5 ***-1059/P3.658* SECTION 1194.** 560.2055 (4) (b) 2. and (c) of the statutes are
6 renumbered 238.16 (4) (b) 2. and (c) and amended to read:

7 238.16 (4) (b) 2. The department corporation may award to a person certified
8 under sub. (2) tax benefits in an amount to be determined by the ~~department by rule~~
9 corporation for costs incurred by the person to undertake the training activities
10 described in sub. (3) (c).

11 (c) Subject to a reallocation by the department corporation pursuant to rules
12 ~~promulgated adopted~~ under s. ~~560.205~~ 238.215 (3) (d), the department corporation
13 may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

14 ***-1059/P3.659* SECTION 1195.** 560.2055 (5) of the statutes is renumbered
15 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as
16 renumbered, are amended to read:

17 238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~
18 ~~of commerce corporation~~ corporation shall notify the department of revenue when the
19 ~~department of commerce corporation~~ corporation certifies a person to receive tax benefits.

20 (b) The ~~department of commerce corporation~~ corporation shall notify the department of
21 revenue within 30 days of revoking a certification made under sub. (2).

22 (c) The department corporation may require a person to repay any tax benefits
23 the person claims for a year in which the person failed to maintain employment
24 required by an agreement under sub. (2) (b).

1 (d) The ~~department~~ corporation shall determine the maximum amount of the
2 tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business
3 may claim and shall notify the department of revenue of this amount.

4 (e) The ~~department~~ corporation shall annually verify the information
5 submitted to the ~~department~~ corporation by the person claiming tax benefits under
6 ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

7 (f) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the
8 implementation and operation of this section, including rules relating to the
9 following:

10 1. (intro.) The definitions of a tier I county or municipality and a tier II county
11 or municipality. The ~~department~~ corporation may consider all of the following
12 information when establishing the definitions required under this subdivision:

13 ***-1059/P3.660* SECTION 1196.** 560.2056 of the statutes is renumbered 238.17
14 and amended to read:

15 **238.17 Food processing plant and food warehouse investment credit.**

16 (1) The ~~department of commerce~~ corporation shall implement a program to certify
17 taxpayers as eligible for the food processing plant and food warehouse investment
18 credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

19 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
20 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
21 to allocate to that taxpayer. The total amount of food processing plant and food
22 warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not
23 exceed \$600,000 and the total amount of food processing plant and food warehouse
24 investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal
25 year thereafter, may not exceed \$700,000.

1 (3) The ~~department of commerce~~ corporation shall inform the department of
2 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
3 to the taxpayer.

4 (4) The ~~department of commerce~~ corporation, in consultation with the
5 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

6 ***-1059/P3.661*** **SECTION 1197.** 560.206 of the statutes is renumbered 41.155,
7 and 41.155 (4), as renumbered, is amended to read:

8 41.155 (4) The department of ~~commerce~~ tourism, in consultation with the
9 department of revenue, shall promulgate rules to administer this section.

10 ***-1059/P3.662*** **SECTION 1198.** 560.207 of the statutes is renumbered 93.535
11 and amended to read:

12 **93.535 Dairy manufacturing facility investment credit.** (1) The
13 department of ~~commerce~~ shall implement a program to certify taxpayers, including
14 taxpayers who are members of dairy cooperatives, as eligible for the dairy
15 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47
16 (3p).

17 (2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the
18 department of ~~commerce~~ shall determine the amount of credits to allocate to that
19 taxpayer. The total amount of dairy manufacturing facility investment credits
20 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total
21 amount of dairy manufacturing facility investment credits allocated to taxpayers
22 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal
23 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing
24 facility investment credits allocated to taxpayers who are members of dairy
25 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount

1 of dairy manufacturing facility investment credits allocated to taxpayers who are
2 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year
3 thereafter, may not exceed \$700,000.

4 (3) The department of ~~commerce~~ shall inform the department of revenue of
5 every taxpayer certified under sub. (1) and the amount of credits allocated to the
6 taxpayer.

7 (4) The department of ~~commerce~~, in consultation with the department of
8 revenue, shall promulgate rules to administer this section.

9 *-1059/P3.663* **SECTION 1199.** 560.208 of the statutes is renumbered 238.19
10 and amended to read:

11 **238.19 Meat processing facility investment credit.** (1) The ~~department~~
12 ~~of commerce~~ corporation shall implement a program to certify taxpayers as eligible
13 for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and
14 71.47 (3r).

15 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
16 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
17 to allocate to that taxpayer. The total amount of meat processing facility investment
18 credits allocated to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and
19 the total amount of meat processing facility investment credits allocated to
20 taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed
21 \$700,000.

22 (3) The ~~department of commerce~~ corporation shall inform the department of
23 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
24 to the taxpayer.

1 (4) The ~~department of commerce~~ corporation, in consultation with the
2 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

3 ***-1059/P3.664*** SECTION 1200. 560.2085 of the statutes is renumbered 238.20,
4 and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended to read:

5 238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to
6 certify qualified new business ventures for purposes of s. 71.05 (24). A business
7 desiring certification shall submit an application to the ~~department~~ corporation in
8 each taxable year for which the business desires certification. Subject to sub. (2), a
9 business may be certified under this subsection, and may maintain such
10 certification, only if the business is engaged in one of the following:

11 (2) The ~~department~~ corporation may not certify a business under sub. (1) if the
12 business is engaged in real estate development, insurance, banking, lending,
13 lobbying, political consultation, professional services provided by attorneys,
14 accountants, business consultants, physicians, or health care consultants, wholesale
15 or retail sales, leisure, hospitality, transportation, or construction.

16 (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified
17 under sub. (1) and shall permit public access to the lists through the ~~department's~~
18 corporation's Internet Web site.

19 (b) The ~~department of commerce~~ corporation shall notify the department of
20 revenue of every certification issued under sub. (1) and the date on which a
21 certification under sub. (1) is revoked or expires.

22 ***-1059/P3.665*** SECTION 1201. 560.209 of the statutes is renumbered 238.21
23 and amended to read:

24 **238.21 Woody biomass harvesting and processing credit.** (1) The
25 ~~department of commerce~~ corporation shall implement a program to certify taxpayers

1 as eligible for the woody biomass harvesting and processing credit under ss. 71.07
2 (3rm), 71.28 (3rm), and 71.47 (3rm).

3 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
4 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
5 to allocate to that taxpayer. The total amount of woody biomass harvesting and
6 processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000.
7 In each fiscal year, the ~~department of commerce~~ corporation shall allocate \$450,000
8 in tax credits to businesses that, individually, have no more than \$5,000,000 in gross
9 receipts from doing business in this state for the taxable year in which the credit is
10 claimed.

11 (3) The ~~department of commerce~~ corporation shall inform the department of
12 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
13 to the taxpayer.

14 (4) The ~~department of commerce~~ corporation, in consultation with the
15 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

16 ***-1059/P3.666* SECTION 1202.** 560.21 of the statutes is repealed.

17 ***-1059/P3.667* SECTION 1203.** 560.25 of the statutes is repealed.

18 ***-1059/P3.668* SECTION 1204.** 560.255 of the statutes is repealed.

19 ***-1059/P3.669* SECTION 1205.** 560.27 of the statutes is repealed.

20 ***-1059/P3.670* SECTION 1206.** 560.275 of the statutes is repealed.

21 ***-1059/P3.671* SECTION 1207.** 560.276 of the statutes is repealed.

22 ***-1059/P3.672* SECTION 1208.** 560.277 of the statutes is repealed.

23 ***-1059/P3.673* SECTION 1209.** 560.28 of the statutes is repealed.

24 ***-1059/P3.674* SECTION 1210.** 560.285 of the statutes is repealed.

25 ***-1059/P3.675* SECTION 1211.** 560.29 of the statutes is repealed.

1 *-1059/P3.676* SECTION 1212. Subchapter II (title) of chapter 560 [precedes
2 560.30] of the statutes is repealed.

3 *-1059/P3.677* SECTION 1213. 560.30 of the statutes is repealed.

4 *-0808/2.483* SECTION 1214. 560.30 (10) of the statutes is amended to read:
5 560.30 (10) "Minority business" has the meaning given in s. ~~560.036~~ 490.04 (1)
6 (e).

7 *-0808/2.484* SECTION 1215. 560.30 (11) of the statutes is amended to read:
8 560.30 (11) "Minority group member" has the meaning given in s. ~~560.036~~
9 490.04 (1) (f).

10 *-1059/P3.678* SECTION 1216. 560.301 of the statutes is repealed.

11 *-1059/P3.679* SECTION 1217. 560.302 of the statutes is repealed.

12 *-1059/P3.680* SECTION 1218. 560.303 of the statutes is repealed.

13 *-1059/P3.681* SECTION 1219. 560.304 of the statutes is repealed.

14 *-1059/P3.682* SECTION 1220. 560.305 of the statutes is repealed.

15 *-1059/P3.683* SECTION 1221. Subchapter III (title) of chapter 560 [precedes
16 560.41] of the statutes is repealed.

17 *-1059/P3.684* SECTION 1222. 560.41 of the statutes is repealed.

18 *-1059/P3.685* SECTION 1223. 560.42 of the statutes is repealed.

19 *-1059/P3.686* SECTION 1224. 560.43 of the statutes is repealed.

20 *-1059/P3.687* SECTION 1225. 560.44 of the statutes is repealed.

21 *-0808/2.485* SECTION 1226. 560.45 of the statutes is renumbered 490.05, and
22 490.05 (1), as renumbered, is amended to read:

23 490.05 (1) The department may award a grant from the appropriations under
24 ~~s. ~~20.143~~~~ ^{20.165} (1) ~~(ic), (ig), (im), and (ir)~~ and 20.165 (1) (ir) to a business for innovation
25 and research assistance.

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1 ***-1059/P3.688* SECTION 1227.** 560.45 of the statutes is repealed.

2 ***-1059/P3.689* SECTION 1228.** Subchapter IV (title) of chapter 560 [precedes
3 560.51] of the statutes is repealed.

4 ***-1059/P3.690* SECTION 1229.** 560.51 of the statutes is repealed.

5 ***-1059/P3.691* SECTION 1230.** 560.53 of the statutes is repealed.

6 ***-1059/P3.692* SECTION 1231.** 560.54 of the statutes is repealed.

7 ***-1059/P3.693* SECTION 1232.** Subchapter V (title) of chapter 560 [precedes
8 560.60] of the statutes is repealed.

9 ***-1059/P3.694* SECTION 1233.** 560.60 of the statutes is repealed.

10 ***-1059/P3.695* SECTION 1234.** 560.602 of the statutes is repealed.

11 ***-1059/P3.696* SECTION 1235.** 560.605 of the statutes is repealed.

12 ***-1059/P3.697* SECTION 1236.** 560.607 of the statutes is repealed.

13 ***-1059/P3.698* SECTION 1237.** 560.61 of the statutes is repealed.

14 ***-1059/P3.699* SECTION 1238.** 560.68 of the statutes is repealed.

15 ***-1059/P3.700* SECTION 1239.** Subchapter VI (title) of chapter 560 [precedes
16 560.70] of the statutes is repealed.

17 ***-1059/P3.701* SECTION 1240.** 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5),
18 (6) and (7) of the statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m),
19 (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d),
20 as renumbered, are amended to read:

21 **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31
22 to 238.395:

23 **(2g)** "Eligible activity" means an activity described under s. ~~560.702~~ 238.302.

24 **(2m)** (b) The department may by rule specify corporation may adopt a rule
25 specifying circumstances under which the department corporation may grant

1 exceptions to the requirement under par. (a) that a full-time job means a job in which
2 an individual, as a condition of employment, is required to work at least 2,080 hours
3 per year, but under no circumstances may a full-time job mean a job in which an
4 individual, as a condition of employment, is required to work less than 37.5 hours per
5 week.

6 (4) "Local governing body" means the governing body of one or more cities,
7 villages, towns, or counties or the elected governing body of a federally recognized
8 American Indian tribe or band in this state.

9 (7) (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, "tax benefits"
10 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),
11 and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),
12 71.47 (1dx), and 76.636. With respect to the development opportunity zones under
13 s. ~~560.795~~ 238.395 (1) (e) and (f), "tax benefits" also means the development zones
14 capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

15 2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395
16 (1) (g) and (h), "tax benefits" means the development zone credits under ss. 71.07
17 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital
18 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

19 (c) In s. ~~560.798~~ 238.398, "tax benefits" means the development zones capital
20 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the
21 development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

22 (d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, "tax benefits" means the
23 economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and
24 76.637.

25 ***-1059/P3.702* SECTION 1241.** 560.70 (1) of the statutes is repealed.

1 ***-1059/P3.703*** SECTION 1242. 560.701 of the statutes is renumbered 238.301,
2 and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as
3 renumbered, are amended to read:

4 238.301 (1) APPLICATION. (intro.) Any person may apply to the ~~department~~
5 corporation on a form prepared by the ~~department~~ corporation for certification under
6 this section. The application shall include all of the following:

7 (e) Other information required by the ~~department~~ corporation or the
8 department of revenue.

9 (2) (a) The ~~department~~ corporation may certify a person who submits an
10 application under sub. (1) if, after conducting an investigation, the ~~department~~
11 corporation determines that the person is conducting or intends to conduct at least
12 one eligible activity.

13 (b) The ~~department~~ corporation shall provide a person certified under this
14 section and the department of revenue with a copy of the certification.

15 (3) CONTRACT. (intro.) A person certified under this section shall enter into a
16 written contract with the ~~department~~ corporation. The contract shall include
17 provisions that detail all of the following:

18 (b) Whether any of the eligible activities will occur in an economically
19 distressed area, as designated by the ~~department~~ corporation under s. 560.704
20 238.304 (1).

21 (c) Whether any of the eligible activities will benefit members of a targeted
22 group, as determined by the ~~department~~ corporation under s. 560.704 238.304 (2).

23 (d) A compliance schedule that includes a sequence of anticipated actions to be
24 taken or goals to be achieved by the person before the person may receive tax benefits
25 under s. 560.703 238.303.

1 (f) If feasible, a determination of the tax benefits the person will be authorized
2 to claim under s. ~~560.703~~ 238.303 (2) if the person fulfills the terms of the contract.

3 ***-1059/P3.704* SECTION 1243.** 560.702 of the statutes is renumbered 238.302,
4 and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

5 **238.302 Eligible activities.** (intro.) A person who conducts or proposes to
6 conduct any of the following may be certified under s. ~~560.701~~ 238.301 (2):

7 (1) JOB CREATION PROJECT. A project that creates and maintains for a period of
8 time established by the ~~department~~ corporation by rule full-time jobs in addition to
9 any existing full-time jobs provided by the person.

10 (2) CAPITAL INVESTMENT PROJECT. A project that involves a significant
11 investment of capital, as defined by the ~~department~~ corporation by rule under s.
12 ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property,
13 or depreciable personal property.

14 (3) EMPLOYEE TRAINING PROJECT. A project that involves significant investments
15 in the training or reeducation of employees, as defined by the ~~department~~
16 corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of
17 improving the productivity or competitiveness of the business of the person.

18 ***-1059/P3.705* SECTION 1244.** 560.703 (title) of the statutes is renumbered
19 238.303 (title).

20 ***-1059/P3.706* SECTION 1245.** 560.703 (1) (a) of the statutes, as affected by
21 2011 Wisconsin Act 4, is renumbered 238.303 (1) (a) and amended to read:

22 238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a
23 reallocation by the ~~department~~ corporation pursuant to rules ~~promulgated~~ adopted
24 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the
25 ~~department~~ corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not

1 exceed the sum of the tax benefits remaining to be allocated under ~~ss. s.~~ s. 560.71 to
2 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009
3 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

4 ***-1059/P3.707* SECTION 1246.** 560.703 (1) (am) of the statutes, as created by
5 2011 Wisconsin Act 4, is renumbered 238.303 (1) (am) and amended to read:

6 238.303 (1) (am) Before the ~~department~~ corporation allocates the additional
7 \$25,000,000 in tax benefits specified in par. (a), the ~~department~~ corporation shall
8 submit its plan for such allocation to the joint committee on finance. If the
9 cochairpersons of the committee do not notify the ~~department~~ corporation within 14
10 working days after the date of the ~~department's~~ corporation's submittal that the
11 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
12 may be implemented and the additional amount may be allocated as proposed by the
13 ~~department~~ corporation. If, within 14 working days after the date of the
14 ~~department's~~ corporation's submittal, the cochairpersons of the committee notify the
15 ~~department~~ corporation that the committee has scheduled a meeting for the purpose
16 of reviewing the proposed plan, the plan may be implemented and the additional
17 amount allocated only upon approval of the committee.

18 ***-1059/P3.708* SECTION 1247.** 560.703 (1) (b), (2) and (3) of the statutes are
19 renumbered 238.303 (1) (b), (2) and (3) and amended to read:

20 238.303 (1) (b) The ~~department~~ corporation may submit to the joint committee
21 on finance a request in writing to exceed the total tax benefits specified in par. (a).
22 The ~~department~~ corporation shall submit with its request a justification for seeking
23 an increase under this paragraph. The joint committee on finance, following its
24 review, may approve or disapprove an increase in the total tax benefits available to
25 be allocated under ~~ss. 560.701 to 560.706~~ 238.301 to 238.306.

1 (2) AUTHORITY TO CLAIM TAX BENEFITS. The ~~department~~ corporation may
2 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only
3 after the person has submitted a report to the ~~department~~ corporation that
4 documents to the satisfaction of the ~~department~~ corporation that the person has
5 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the
6 requirements of any applicable rules ~~promulgated~~ adopted under s. ~~560.706~~ 238.306
7 (2).

8 (3) NOTICE OF ELIGIBILITY. The ~~department~~ corporation shall provide to the
9 person and to the department of revenue a notice of eligibility to receive tax benefits
10 that reports the amount of tax benefits for which the person is eligible.

11 *-1059/P3.709* SECTION 1248. 560.704 of the statutes is renumbered 238.304,
12 and 238.304 (intro.) and (1), as renumbered, are amended to read:

13 **238.304 Eligible activities in economically distressed areas and**
14 **benefiting members of targeted groups.** (intro.) The ~~department~~ corporation
15 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax
16 benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the
17 ~~department~~ corporation determines any of the following:

18 (1) The person conducts at least one eligible activity in an area designated by
19 the ~~department~~ corporation as economically distressed. In designating an area as
20 economically distressed under this subsection, the ~~department~~ corporation shall
21 follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

22 *-1059/P3.710* SECTION 1249. 560.705 of the statutes is renumbered 238.305,
23 and 238.305 (intro.), (1) and (2), as renumbered, are amended to read:

24 **238.305 Revocation of certification.** (intro.) The ~~department~~ corporation
25 shall revoke the certification of a person who does any of the following:

1 (1) Supplies false or misleading information to obtain certification under s.
2 ~~560.701~~ 238.301 (2).

3 (2) Supplies false or misleading information to obtain tax benefits under s.
4 ~~560.703~~ 238.303.

5 ***-1059/P3.711* SECTION 1250.** 560.706 of the statutes is renumbered 238.306,
6 and 238.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and
7 (k) and (3), as renumbered, are amended to read:

8 **238.306 Responsibilities of the department corporation.** (intro.) The
9 department corporation shall do all of the following:

10 (1) (a) Annually verify information submitted to the department of revenue
11 under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under
12 s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

13 (b) Notify and obtain written approval from the ~~secretary~~ chief executive officer
14 of the corporation for any certification under sub. (2) (j).

15 (2) (a) A schedule of hourly wage ranges to be paid, and health insurance
16 benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301
17 (2) and the corresponding per employee tax benefit for which a person certified under
18 s. ~~560.701~~ 238.301 (2) may be eligible.

19 (b) A definition of "significant investment of capital" for purposes of s. ~~560.702~~
20 238.302 (2), together with a corresponding schedule of tax benefits for which a person
21 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described
22 in s. ~~560.702~~ 238.302 (2) may be eligible. The department corporation shall include
23 in the definition required under this paragraph a schedule of investments that takes
24 into consideration the size or nature of the business.

1 (c) A definition of “significant investments in the training or reeducation of
2 employees” for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding
3 schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301
4 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

5 (d) A schedule of tax benefits for which a person who is certified under s.
6 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or
7 retention of a person’s corporate headquarters in Wisconsin may be eligible.

8 (e) (intro.) The methodology for designating an area as economically distressed
9 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require
10 the ~~department~~ corporation to consider the most current data available for the area
11 and for the state on the following indicators:

12 (f) A schedule of additional tax benefits for which a person who is certified
13 under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under
14 s. ~~560.704~~ 238.304 may be eligible.

15 (g) Reporting requirements, minimum benchmarks, and outcomes expected of
16 a person certified under s. ~~560.701~~ 238.301 (2) before that person may receive tax
17 benefits under s. ~~560.703~~ 238.303.

18 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits
19 available under s. ~~560.703~~ 238.303 to rural areas.

20 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits
21 available under s. ~~560.703~~ 238.303 to small businesses.

22 (k) Procedures for implementing ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

23 (3) REPORTING. Annually, 6 months after the report has been submitted under
24 s. ~~560.01 (2) (am)~~ 238.07 (2), submit to the joint legislative audit committee and to
25 the appropriate standing committees of the legislature under s. 13.172 (3) a

1 comprehensive report assessing the program under ss. ~~560.701 to 560.706~~ 238.301
2 to 238.306. The report under this subsection shall update the applicable information
3 provided in the report under s. ~~560.01 (2) (am)~~ 238.07 (2).

4 ***-1059/P3.712* SECTION 1251.** 560.71 of the statutes is renumbered 238.31,
5 and 238.31 (1) (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m)
6 (intro.), (a) and (h), (2) and (3) (intro.), as renumbered. are amended to read:

7 238.31 (1) (intro.) The ~~department~~ corporation may designate an area as a
8 development zone if all of the following apply:

9 (ac) The ~~department~~ corporation has invited a local governing body to nominate
10 the area under s. ~~560.715~~ 238.315.

11 (am) A local governing body nominates the area as described in s. ~~560.72~~
12 238.32.

13 (b) The ~~department~~ corporation has evaluated the local governing body's
14 application as described in s. ~~560.725~~ 238.325.

15 (d) The area meets the applicable requirements under s. ~~560.735 or 560.737~~
16 238.335.

17 (e) (intro.) The ~~department~~ corporation determines all of the following:

18 3. That economic development in the area is not likely to occur or continue
19 without the ~~department's~~ corporation's designation of the area as a development
20 zone.

21 4. a. The unemployment rate in the area is higher than the state average for
22 the 18 months immediately preceding the date on which the application under s.
23 ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation.

1 c. The percentage of households in the area receiving unemployment insurance
2 under ch. 108, relief funded by a relief block grant under ch. 49, or aid to families with
3 dependent children under s. 49.19 is higher than the state average.

4 d. In the 36 months immediately preceding the date on which the application
5 under s. ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation, a
6 number of workers in the area were permanently laid off by their employer or became
7 unemployed as a result of a business action subject to s. 109.07 (1m).

8 (1m) (intro.) In making a determination under sub. (1) (e), the ~~department~~
9 corporation shall consider all of the following:

10 (a) The extent of poverty, unemployment, or other factors contributing to
11 general economic hardship in the area.

12 (h) Any other factors that the ~~department~~ corporation considers relevant.

13 (2) In determining whether an area meets the requirements under sub. (1) (e)
14 or s. ~~560.735~~ 238.335, the ~~department~~ corporation may rely on any data provided by
15 the local governing body ~~which~~ that the ~~department~~ corporation determines is
16 relevant.

17 (3) (intro.) The ~~department~~ corporation shall do all of the following:

18 ***-1059/P3.713* SECTION 1252.** 560.715 of the statutes is renumbered 238.315
19 and amended to read:

20 **238.315 Invitation to nominate area.** If the ~~department~~ corporation
21 determines that an area has experienced or is about to experience economic distress,
22 the ~~department~~ corporation may invite local governing bodies in the area to
23 nominate the area as a development zone.