

1           229.8273 (1) (b) “Minority business” has the meaning given in s. ~~560.036~~ 490.04  
2 (1) (e).

3           **SECTION 964.** 229.8273 (1) (c) of the statutes is amended to read:

4           229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~560.036~~  
5 490.04 (1) (f).

6           **SECTION 965.** 229.845 (1) (ag) of the statutes is amended to read:

7           229.845 (1) (ag) “Disabled veteran-owned business” means a business certified  
8 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~  
9 490.02 (3).

10          **SECTION 966.** 229.845 (1) (am) of the statutes is amended to read:

11          229.845 (1) (am) “Minority business” has the meaning given in s. ~~560.036~~  
12 490.04 (1) (e).

13          **SECTION 967.** 230.08 (2) (e) 10. of the statutes is repealed.

14          **SECTION 968.** 230.08 (2) (e) 11m. of the statutes is created to read:

15          230.08 (2) (e) 11m. Safety and professional services — 7.

16          **SECTION 969.** 230.08 (2) (v) of the statutes is amended to read:

17          230.08 (2) (v) Not more than ~~5~~ 10 bureau directors in the department of  
18 ~~regulation and licensing~~ safety and professional services.

19          **SECTION 970.** 230.08 (2) (yc) of the statutes is repealed.

20          **SECTION 971.** 230.339 of the statutes is created to read:

21          **230.339 Rights of certain employees of the department of safety and**  
22 **professional services. (1)** Notwithstanding s. 230.08 (2) (e) 11m. and (v), all of the  
23 employees holding the following positions in the classified service at the department  
24 of commerce on the day before the effective date of this subsection .... [LRB inserts  
25 date], who have achieved permanent status in class on or before that date shall, upon

1 employment by the department of safety and professional services, retain, while  
2 serving in the unclassified service at the department of safety and professional  
3 services, those protections afforded employees in the classified service under ss.  
4 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,  
5 or reduction in base pay:

6 (a) Administrator of the division of administrative services.

7 (b) Director of the bureau of petroleum environmental cleanup fund  
8 administration in the division of environmental and regulatory services.

9 (c) Director of the bureau of petroleum products and tanks in the division of  
10 environmental and regulatory services.

11 (d) Director of the bureau of integrated services in the division of safety and  
12 buildings.

13 (e) Director of the bureau of program development in the division of safety and  
14 buildings.

15 (2) Each employee specified under sub. (1) shall also have reinstatement  
16 privileges to the classified service as provided under s. 230.33 (1).

17 **SECTION 972.** 231.20 of the statutes is amended to read:

18 **231.20 Waiver of construction and bidding requirements.** In exercising  
19 its powers under s. 101.12, the department of ~~commerce~~ safety and professional  
20 services or any city, village, town, or county may, within its discretion for proper  
21 cause shown, waive any particular requirements relating to public buildings,  
22 structures, grounds, works, and improvements imposed by law upon projects under  
23 this chapter; the requirements of s. 101.13 may not be waived, however. If, however,  
24 the prospective lessee so requests in writing, the authority shall, through the  
25 participating health institution, participating educational institution, participating

1 research institution, or participating child care provider as its agent, call for  
2 construction bids in such manner as is determined by the authority with the approval  
3 of the lessee.

4 **SECTION 973.** 231.27 (1) of the statutes is amended to read:

5 231.27 (1) In this section, “minority business”, “minority financial adviser” and  
6 “minority investment firm” mean a business, financial adviser and investment firm,  
7 respectively, certified by the department of ~~commerce~~ safety and professional  
8 services under s. ~~560.036~~ 490.04 (2).

9 **SECTION 974.** 231.29 (1) of the statutes is amended to read:

10 231.29 (1) In this section, “business,” “financial adviser,” and “investment firm”  
11 mean a business, financial adviser, and investment firm certified by the department  
12 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

13 **SECTION 975.** 231.35 (6) (a) of the statutes is amended to read:

14 231.35 (6) (a) The authority shall enter into a guarantee agreement with any  
15 person who makes loans described under sub. (3) (b) and who wishes to have those  
16 loans guaranteed under this section. The guarantee agreement shall comply with  
17 the rules promulgated by the department of ~~commerce~~ administration under sub. (7)  
18 (b).

19 **SECTION 976.** 231.35 (6) (b) of the statutes is amended to read:

20 231.35 (6) (b) The authority may use money from the rural hospital loan fund  
21 to guarantee loans made for the purposes described in sub. (3) (b), if the authority  
22 sets out the terms and conditions of the guarantee in a guarantee agreement that  
23 complies with the rules promulgated by the department of ~~commerce~~ administration  
24 under sub. (7) (b).

25 **SECTION 977.** 231.35 (7) (intro.) of the statutes is amended to read:

1           231.35 (7) (intro.) With the advice of the rural health development council, the  
2 department of ~~commerce~~ administration shall promulgate rules specifying all of the  
3 following:

4           **SECTION 978.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

5           234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined  
6 by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005  
7 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)  
8 (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.

9           **SECTION 979.** 234.02 (1) of the statutes is amended to read:

10          234.02 (1) There is created a public body corporate and politic to be known as  
11 the "Wisconsin Housing and Economic Development Authority." The members of the  
12 authority shall be the ~~secretary of commerce~~ chief executive officer of the Wisconsin  
13 Economic Development Corporation or his or her designee and the secretary of  
14 administration or his or her designee, and 6 public members nominated by the  
15 governor, and with the advice and consent of the senate appointed, for staggered  
16 4-year terms commencing on the dates their predecessors' terms expire. In addition,  
17 one senator of each party and one representative to the assembly of each party  
18 appointed as are the members of standing committees in their respective houses  
19 shall serve as members of the authority. A member of the authority shall receive no  
20 compensation for services but shall be reimbursed for necessary expenses, including  
21 travel expenses, incurred in the discharge of duties. Subject to the bylaws of the  
22 authority respecting resignations, each member shall hold office until a successor  
23 has been appointed and has qualified. A certificate of appointment or reappointment  
24 of any member shall be filed with the authority and the certificate shall be conclusive  
25 evidence of the due and proper appointment.

1           **SECTION 980.** 234.032 (2) (intro.) of the statutes is amended to read:

2           234.032 (2) (intro.) The authority, in consultation with the ~~department of~~  
3 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the  
4 following for each economic development program administered by the authority:

5           **SECTION 981.** 234.034 of the statutes is amended to read:

6           **234.034 Consistency with state housing strategy plan.** Subject to  
7 agreements with bondholders or noteholders, the authority shall exercise its powers  
8 and perform its duties related to housing consistent with the state housing strategy  
9 plan under s. ~~560.9802~~ 234.5602.

10          **SECTION 982.** 234.06 (1) of the statutes is amended to read:

11          234.06 (1) The authority may, as authorized in the state housing strategy plan  
12 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund  
13 to make temporary loans to eligible sponsors, with or without interest, and with such  
14 security for repayment, if any, as the authority determines reasonably necessary and  
15 practicable, solely from the housing development fund, to defray development costs  
16 for the construction of proposed housing projects for occupancy by persons and  
17 families of low and moderate income. No temporary loan may be made unless the  
18 authority may reasonably anticipate that satisfactory financing may be obtained by  
19 the eligible sponsor for the permanent financing of the housing project.

20          **SECTION 983.** 234.06 (3) of the statutes is amended to read:

21          234.06 (3) The authority may, as authorized in the state housing strategy plan  
22 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund  
23 to establish and administer programs of grants to counties, municipalities, and  
24 eligible sponsors of housing projects for persons of low and moderate income, to pay  
25 organizational expenses, administrative costs, social services, technical services,

1 training expenses, or costs incurred or expected to be incurred by counties,  
2 municipalities, or sponsors for land and building acquisition, construction,  
3 improvements, renewal, rehabilitation, relocation, or conservation under a plan to  
4 provide housing or related facilities, if the costs are not reimbursable from other  
5 private or public loan, grant, or mortgage sources.

6 **SECTION 984.** 234.08 (5) of the statutes is amended to read:

7 234.08 (5) This section does not supersede or impair the power of the  
8 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out  
9 its program responsibilities relating to economic development which are funded by  
10 bonds or notes issued under this section.

11 **SECTION 985.** 234.08 (6) of the statutes is amended to read:

12 234.08 (6) The authority may reimburse the ~~department of commerce~~  
13 Wisconsin Economic Development Corporation its operating costs to carry out its  
14 program responsibilities relating to economic development which are funded by  
15 bonds or notes issued under this section.

16 **SECTION 986.** 234.165 (2) (b) 2. of the statutes is amended to read:

17 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the  
18 governor a plan for expending or encumbering the actual surplus reported under  
19 subd. 1. The part of the plan related to housing shall be consistent with the state  
20 housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this  
21 subdivision may be attached to and submitted as a part of the report filed under subd.  
22 1.

23 **SECTION 987.** 234.25 (1) (e) of the statutes is amended to read:

24 234.25 (1) (e) An evaluation of its progress in implementing within its own  
25 housing programs the goals, policies, and objectives of the state housing strategy

1 plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its  
2 ability to carry out its programs consistent with the state housing strategy plan.

3 **SECTION 988.** 234.255 (title) of the statutes is amended to read:

4 **234.255 (title) Economic development assistance coordination and**  
5 **reporting.**

6 **SECTION 989.** 234.255 of the statutes is renumbered 234.255 (2) and amended  
7 to read:

8 **234.255 (2)** Annually, no later than October 1, the authority shall submit to the  
9 joint 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 s. 234.032 (1), administered by the authority.  
12 The report shall include all of the information required under s. ~~560.01 (2) (am)~~  
13 238.07 (2). The authority shall collaborate with the ~~department of commerce~~  
14 Wisconsin Economic Development Corporation to make readily accessible to the  
15 public on an Internet-based system the information required under this section.

16 **SECTION 990.** 234.255 (1) of the statutes is created to read:

17 **234.255 (1)** The authority shall coordinate any economic development  
18 assistance with the Wisconsin Economic Development Corporation.

19 **SECTION 991.** 234.35 (1) of the statutes is amended to read:

20 **234.35 (1)** In this section, “minority business”, “minority financial adviser” and  
21 “minority investment firm” mean a business, financial adviser and investment firm,  
22 respectively, certified by the department of ~~commerce~~ safety and professional  
23 services under s. ~~560.036~~ 490.04 (2).

24 **SECTION 992.** 234.36 (1) of the statutes is amended to read:

1           234.36 (1) In this section, “business,” “financial adviser,” and “investment firm”  
2 mean a business, financial adviser, and investment firm certified by the department  
3 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

4           **SECTION 993.** 234.65 (1) (a) of the statutes is amended to read:

5           234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin  
6 Economic Development Corporation and subject to par. (f), the authority may issue  
7 its negotiable bonds and notes to finance its economic development activities  
8 authorized or required under this chapter, including financing economic  
9 development loans.

10          **SECTION 994.** 234.65 (1) (f) of the statutes is amended to read:

11          234.65 (1) (f) The authority may not issue bonds or notes under par. (a) unless  
12 it has contracted to reimburse the ~~department of commerce~~ Wisconsin Economic  
13 Development Corporation a sum certain for the ~~department's corporation's~~ operating  
14 costs in carrying out its responsibilities to effectuate and promote the economic  
15 development programs created with the bonding authority in this chapter and its  
16 responsibilities under s. ~~560.03 (17)~~ 238.25.

17          **SECTION 995.** 234.65 (1m) of the statutes is amended to read:

18          234.65 (1m) The ~~department of commerce~~ Wisconsin Economic Development  
19 Corporation shall, in consultation with the authority, ~~promulgate rules and adopt~~  
20 rules and procedures, in accordance with the procedures under ch. 227, to implement  
21 sub. (3).

22          **SECTION 996.** 234.65 (3) (a) of the statutes is amended to read:

23          234.65 (3) (a) The business that will receive the loan, at least 30 days prior to  
24 signing of the loan contract, has given notice of intent to sign the contract, on a form  
25 prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~ Wisconsin

1 Economic Development Corporation and to any collective bargaining agent in this  
2 state with whom the person has a collective bargaining agreement.

3 **SECTION 997.** 234.65 (3) (am) of the statutes is amended to read:

4 234.65 (3) (am) The authority has received an estimate issued under s. ~~560.034~~  
5 238.11 (5) (b), and the ~~department of commerce~~ Wisconsin Economic Development  
6 Corporation has estimated whether the project that the authority would finance  
7 under the loan is expected to eliminate, create, or maintain jobs on the project site  
8 and elsewhere in this state and the net number of jobs expected to be eliminated,  
9 created, or maintained as a result of the project.

10 **SECTION 998.** 234.65 (3m) of the statutes is amended to read:

11 234.65 (3m) An economic development loan may not be made unless the  
12 ~~department of commerce~~ Wisconsin Economic Development Corporation complies  
13 with sub. (1m) and certifies that each loan complies with sub. (3).

14 **SECTION 999.** 234.65 (3r) of the statutes is amended to read:

15 234.65 (3r) Any economic development loan ~~which~~ that a business receives  
16 from the authority under this section to finance a project shall require the business  
17 to submit to the ~~department of commerce~~ Wisconsin Economic Development  
18 Corporation within 12 months after the project is completed or 2 years after a loan  
19 is issued to finance the project, whichever is sooner, on a form prescribed under s.  
20 ~~560.034~~ 234.11 (1), the net number of jobs eliminated, created, or maintained on the  
21 project site and elsewhere in this state as a result of the project. This subsection does  
22 not apply to an economic development loan to finance an economic development  
23 project described under s. 234.01 (4n) (c).

24 **SECTION 1000.** 234.65 (5) (intro.) of the statutes is amended to read:

1           234.65 (5) (intro.) On or before July 1, 1985, and every July 1 thereafter, the  
2 ~~department of commerce~~ Wisconsin Economic Development Corporation shall  
3 submit to the chief clerk of each house of the legislature, for distribution to the  
4 appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~  
5 that addresses the effects of lending under this section in the following areas:

6           **SECTION 1001.** 234.83 (1c) (b) of the statutes is amended to read:

7           234.83 (1c) (b) "Small business" means a business, as defined in s. ~~560.60 (2)~~  
8 84.185 (1) (a), that employs 50 or fewer employees on a full-time basis.

9           **SECTION 1002.** 234.84 (1) of the statutes is amended to read:

10          234.84 (1) DEFINITION. In this section, "~~department~~" "corporation" means the  
11 ~~department of commerce~~ Wisconsin Economic Development Corporation.

12          **SECTION 1003.** 234.84 (3) (c) of the statutes is amended to read:

13          234.84 (3) (c) The interest rate on the loan, including any origination fees or  
14 other charges, is approved by the ~~department~~ corporation.

15          **SECTION 1004.** 234.84 (4) (a) of the statutes is amended to read:

16          234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a  
17 percentage of the principal of, and all interest and any other amounts outstanding  
18 on, any loan eligible for a guarantee under sub. (2). The ~~department~~ corporation  
19 shall establish the percentage of the principal of an eligible loan that will be  
20 guaranteed, using the procedures described in the agreement under s. 234.932 (3)  
21 (a). The ~~department~~ corporation may establish a single percentage for all  
22 guaranteed loans or establish different percentages for eligible loans on an  
23 individual basis.

24          **SECTION 1005.** 234.84 (5) (a) of the statutes is amended to read:

1           234.84 (5) (a) The program under this section shall be administered by the  
2 ~~department~~ corporation with the cooperation of the authority. The ~~department~~  
3 corporation shall enter into a memorandum of understanding with the authority  
4 setting forth the respective responsibilities of the ~~department~~ corporation and the  
5 authority with regard to the administration of the program, including the functions  
6 and responsibilities specified in s. 234.932. The memorandum of understanding  
7 shall provide for reimbursement to the ~~department~~ corporation by the authority for  
8 costs incurred by the ~~department~~ corporation in the administration of the program.

9           **SECTION 1006.** 234.84 (5) (b) of the statutes is amended to read:

10           234.84 (5) (b) The ~~department~~ corporation may charge a premium, fee, or other  
11 charge to a borrower of a guaranteed loan under this section for the administration  
12 of the loan guarantee.

13           **SECTION 1007.** 234.932 (1) of the statutes is repealed.

14           **SECTION 1008.** 234.932 (2) (a) of the statutes is amended to read:

15           234.932 (2) (a) Moneys ~~appropriated to the authority under s. 20.490 (6) (a) and~~  
16 ~~(k) or~~ received by the authority for the Wisconsin job training reserve fund from any  
17 other source.

18           **SECTION 1009.** 234.932 (3) (a) (intro.) of the statutes is amended to read:

19           234.932 (3) (a) (intro.) The authority ~~or department~~ shall enter into a  
20 guarantee agreement with any bank, production credit association, credit union,  
21 savings bank, savings and loan association, or other person who wishes to participate  
22 in the loan program guaranteed by the Wisconsin job training reserve fund. The  
23 authority ~~or department~~ may determine all of the following, consistent with the  
24 terms of the loan guarantee program:

25           **SECTION 1010.** 234.932 (3) (a) 2. of the statutes is amended to read:

1           234.932 (3) (a) 2. Any conditions upon which the authority ~~or department~~ may  
2 refuse to enter into such an agreement.

3           **SECTION 1011.** 234.932 (3) (c) of the statutes is amended to read:

4           234.932 (3) (c) The ~~department~~ Wisconsin Economic Development Corporation  
5 may establish an eligibility criteria review panel, consisting of experts in finance and  
6 in the subject area of the job training loan guarantee program, to provide advice  
7 about lending requirements and issues related to the job training loan guarantee  
8 program.

9           **SECTION 1012.** 234.932 (4) of the statutes is amended to read:

10          234.932 (4) INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~  
11 ~~department~~ may request the joint committee on finance to take action under s. 13.10  
12 to permit the authority to increase or decrease the total outstanding guaranteed  
13 principal amount of loans that it may guarantee under the job training loan  
14 guarantee program. Included with its request, the authority ~~or department~~ shall  
15 provide a projection, for the next June 30, that compares the amounts required on  
16 that date to pay outstanding claims and to fund guarantees under the job training  
17 loan guarantee program, and the balance remaining in the Wisconsin job training  
18 reserve fund on that date after deducting such amounts, if the increase or decrease  
19 is approved, with such amounts and the balance remaining, if the increase or  
20 decrease is not approved.

21          **SECTION 1013.** 234.932 (5) of the statutes is amended to read:

22          234.932 (5) ANNUAL REPORT. Annually, the authority ~~or department~~ shall report  
23 on the number and total dollar amount of guaranteed loans under the job training  
24 loan guarantee program, the default rate on the loans and any other information on  
25 the program that the authority ~~or department~~ determines is significant.

1           **SECTION 1014.** 235.02 (2) (d) of the statutes is amended to read:

2           235.02 (2) (d) ~~The secretary of commerce, or the secretary's chief executive~~  
3 officer of the Wisconsin Economic Development Corporation, or his or her designee.

4           **SECTION 1015.** 236.12 (2) (a) of the statutes is amended to read:

5           236.12 (2) (a) Two copies for each of the state agencies required to review the  
6 plat to the department which shall examine the plat for compliance with ss. 236.15,  
7 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk  
8 highway or connecting highway, the department shall transmit 2 copies to the  
9 department of transportation so that agency may determine whether it has any  
10 objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision  
11 is not served by a public sewer and provision for that service has not been made, the  
12 department shall transmit 2 copies to the department of ~~commerce~~ safety and  
13 professional services so that that agency may determine whether it has any objection  
14 to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure  
15 the agencies may designate local officials to act as their agents in examining the plats  
16 for compliance with the statutes or their rules by filing a written delegation of  
17 authority with the approving body.

18           **SECTION 1016.** 236.13 (1) (d) of the statutes is amended to read:

19           236.13 (1) (d) The rules of the department of ~~commerce~~ safety and professional  
20 services relating to lot size and lot elevation necessary for proper sanitary conditions  
21 in a subdivision not served by a public sewer, where provision for public sewer service  
22 has not been made;

23           **SECTION 1017.** 236.13 (2m) of the statutes is amended to read:

24           236.13 (2m) As a further condition of approval when lands included in the plat  
25 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake

**SECTION 1017**

1 or other body of navigable water or if land in the proposed plat involves lake or stream  
2 shorelands referred to in s. 236.16, the department of natural resources, to prevent  
3 pollution of navigable waters, or the department of ~~commerce~~ safety and professional  
4 services, to protect the public health and safety, may require assurance of adequate  
5 drainage areas for private sewage disposal systems and building setback  
6 restrictions, or provisions by the owner for public sewage disposal facilities for  
7 waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s.  
8 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal  
9 facilities may consist of one or more systems as the department of natural resources  
10 or the department of ~~commerce~~ safety and professional services determines on the  
11 basis of need for prevention of pollution of the waters of the state or protection of  
12 public health and safety.

13 **SECTION 1018.** 236.335 of the statutes is amended to read:

14 **236.335 Prohibited subdividing; forfeit.** No lot or parcel in a recorded plat  
15 may be divided, or used if so divided, for purposes of sale or building development if  
16 the resulting lots or parcels do not conform to this chapter, to any applicable  
17 ordinance of the approving authority or to the rules of the department of ~~commerce~~  
18 safety and professional services under s. 236.13. Any person making or causing such  
19 a division to be made shall forfeit not less than \$100 nor more than \$500 to the  
20 approving authority, or to the state if there is a violation of this chapter or the rules  
21 of the department of ~~commerce~~ safety and professional services.

22 **SECTION 1019.** Subchapter I (title) of chapter 238 [precedes 238.01] of the  
23 statutes is created to read:

24 **CHAPTER 238**

## 1 SUBCHAPTER I

## 2 GENERAL PROVISIONS

3 **SECTION 1020.** 238.08 of the statutes is created to read:4 **238.08 Records of the corporation.** All records of the corporation are open  
5 to the public as provided in s. 19.35 (1) except those records relating to pending  
6 grants, loans, or economic development projects that, in the opinion of the  
7 corporation, must remain confidential to protect the competitive nature of the grant,  
8 loan, or project.9 **SECTION 1021.** 238.135 of the statutes is created to read:10 **238.135 Grants to regional economic development organizations.** The  
11 corporation shall award annual grants to regional economic development  
12 organizations to fund marketing activities. The amount of each grant may not exceed  
13 \$100,000 or the amount of matching funds the organization obtains from sources  
14 other than the corporation or the state, whichever is less.15 **SECTION 1022.** 238.16 (3) (am) of the statutes is created to read:

16 238.16 (3) (am) The person increases net employment in the person's business.

17 **SECTION 1023.** Subchapter II (title) of chapter 238 [precedes 238.30] of the  
18 statutes is created to read:19 **CHAPTER 238**20 **SUBCHAPTER II**21 **TAX INCENTIVES FOR BUSINESS**22 **DEVELOPMENT**23 **SECTION 1024.** 252.12 (2) (a) 9. of the statutes is amended to read:24 252.12 (2) (a) 9. 'Grant for family resource center.' The department shall award  
25 a grant to develop and implement an African-American family resource center in the

1 city of Milwaukee that targets activities toward the prevention and treatment of HIV  
2 infection and related infections, including hepatitis C virus infection, of minority  
3 group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

4 **SECTION 1025.** 252.12 (2) (c) 2. of the statutes is amended to read:

5 252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the  
6 department shall award \$75,000 in each fiscal year as grants for services to prevent  
7 HIV infection and related infections, including hepatitis C virus infection. Criteria  
8 for award of the grants shall include the criteria specified under subd. 1. The  
9 department shall award 60% of the funding to applying organizations that receive  
10 funding under par. (a) 8. and 40% of the funding to applying community-based  
11 organizations that are operated by minority group members, as defined in s. ~~560.036~~  
12 490.04 (1) (f).

13 **SECTION 1026.** 252.15 (5g) (c) of the statutes is amended to read:

14 252.15 (5g) (c) A physician, physician assistant, or advanced practice nurse  
15 prescriber, based on information provided to the physician, physician assistant, or  
16 advanced practice nurse prescriber, determines and certifies in writing that the  
17 person has had contact that constitutes a significant exposure. The certification  
18 shall accompany the request for HIV testing and disclosure. If the person is a  
19 physician, physician assistant, or advanced practice nurse prescriber, he or she may  
20 not make this determination or certification. The information that is provided to a  
21 physician, physician assistant, or advanced practice nurse prescriber to document  
22 the occurrence of the contact that constitutes a significant exposure and the  
23 physician's, physician assistant's, or advanced practice nurse prescriber's  
24 certification that the person has had contact that constitutes a significant exposure,  
25 shall be provided on a report form that is developed by the department of commerce

1 safety and professional services under s. 101.02 (19) (a) or on a report form that the  
2 department of ~~commerce~~ safety and professional services determines, under s.  
3 101.02 (19) (b), is substantially equivalent to the report form that is developed under  
4 s. 101.02 (19) (a).

5 **SECTION 1027.** 253.15 (1) (c) of the statutes is amended to read:

6 253.15 (1) (c) "Health care provider" means any person who is licensed,  
7 registered, permitted, or certified by the department of health services or the  
8 department of ~~regulation and licensing~~ safety and professional services to provide  
9 health care services in this state.

10 **SECTION 1028.** 254.02 (3) (a) of the statutes is amended to read:

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

18 **SECTION 1029.** 254.176 (2) (e) of the statutes is amended to read:

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

24 **SECTION 1030.** 254.22 (4) of the statutes is amended to read:

**SECTION 1030**

1           254.22 (4) Assist the department of ~~commerce~~ safety and professional services  
2 with the enforcement of s. 101.123.

3           **SECTION 1031.** 254.51 (2) of the statutes is amended to read:

4           254.51 (2) The department shall enter into memoranda of understanding with  
5 the department of agriculture, trade and consumer protection, the department of  
6 ~~commerce~~ safety and professional services, and the department of natural resources  
7 regarding the investigation and control of animal-borne and vector-borne disease.

8           **SECTION 1032.** 254.73 (1) of the statutes is amended to read:

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

15           **SECTION 1033.** 254.74 (1) (am) of the statutes is amended to read:

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

25           **SECTION 1034.** 254.78 of the statutes is amended to read:

1       **254.78 Authority of department of ~~commerce~~ safety and professional**  
2       **services**. Nothing in this chapter shall affect the authority of the department of  
3       ~~commerce~~ safety and professional services relative to places of employment,  
4       elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

5       **SECTION 1035.** 254.79 of the statutes is amended to read:

6       **254.79 Joint employment.** The department and the department of ~~commerce~~  
7       safety and professional services may employ experts, inspectors or other assistants  
8       jointly.

9       **SECTION 1036.** 256.35 (3m) (h) of the statutes is amended to read:

10       256.35 (3m) (h) *Other charges prohibited.* No local government or state agency,  
11       ~~as defined in s. 560.9810 (1) and no office, commission, department, or independent~~  
12       agency in the executive branch of state government, except the commission, may  
13       require a wireless provider to collect or pay a surcharge or fee related to wireless  
14       emergency telephone service.

15       **SECTION 1037.** 281.33 (2) of the statutes is amended to read:

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

1           **SECTION 1038.** 281.33 (3m) (title) of the statutes is repealed.

2           **SECTION 1039.** 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1).

3           **SECTION 1040.** 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and  
4 amended to read:

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

10           **SECTION 1041.** 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and  
11 amended to read:

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

16           **SECTION 1042.** 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

17           **SECTION 1043.** 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and  
18 amended to read:

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

23           **SECTION 1044.** 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and  
24 amended to read:

1           101.1206 **(5m)** Notwithstanding ~~par. (a) subs. (1) and (e) (5)~~, a county, city,  
2           village, or town that has in effect on January 1, 1994, an ordinance that establishes  
3           standards for erosion control at building sites for the construction of public buildings  
4           and buildings that are places of employment may continue to administer and enforce  
5           that ordinance if the standards in the ordinance are more stringent than the  
6           standards established under ~~par. (a) sub. (1)~~.

7           **SECTION 1045.** 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and  
8           amended to read:

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

15          **SECTION 1046.** 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

16          **SECTION 1047.** 281.344 (8) (a) of the statutes is amended to read:

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

25          **SECTION 1048.** 281.344 (8) (b) (intro.) of the statutes is amended 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           **SECTION 1049.** 281.344 (8) (b) 3. of the statutes is amended to read:

6           281.344 (8) (b) 3. Water conservation and efficiency measures that the  
7 department of ~~commerce~~ safety and professional services requires or authorizes to  
8 be implemented under chs. 101 and 145.

9           **SECTION 1050.** 281.346 (8) (a) of the statutes is amended to read:

10          281.346 (8) (a) *Goals and objectives.* The department shall specify water  
11 conservation and efficiency goals and objectives for the waters of the state and for the  
12 waters of the Great Lakes basin. The department shall specify goals and objectives  
13 for the waters of the Great Lakes basin that are consistent with the goals under s.  
14 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s.  
15 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department  
16 shall consult with the department of ~~commerce~~ safety and professional services and  
17 the public service commission and consider the water conservation and efficiency  
18 goals and objectives developed in any pilot program conducted by the department in  
19 cooperation with the regional body.

20          **SECTION 1051.** 281.346 (8) (b) (intro.) of the statutes is amended to read:

21          281.346 (8) (b) *Statewide program.* (intro.) In cooperation with the department  
22 of ~~commerce~~ safety and professional services and the public service commission, the  
23 department shall develop and implement a statewide water conservation and  
24 efficiency program that includes all of the following:

25          **SECTION 1052.** 281.346 (8) (b) 3. of the statutes is amended to read:

1           281.346 (8) (b) 3. Water conservation and efficiency measures that the  
2 department of ~~commerce~~ safety and professional services requires or authorizes to  
3 be implemented under chs. 101 and 145.

4           **SECTION 1053.** 281.57 (7) (c) 1. of the statutes is amended to read:

5           281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
6 limited in each fiscal year to receiving total grant awards not to exceed 33% of the  
7 sum of the amounts in the schedule for that fiscal year for the appropriation under  
8 s. ~~20.143 (3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal  
9 year plus the unencumbered balance at the end of the preceding fiscal year for the  
10 amount authorized under sub. (10). This subdivision is not applicable to grant  
11 awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

12           **SECTION 1054.** 281.60 (6) of the statutes is amended to read:

13           281.60 (6) PRIORITY LIST. The department shall establish a priority list that  
14 ranks each land recycling loan program project. The department shall promulgate  
15 rules for determining project rankings based on the potential of projects to reduce  
16 environmental pollution and threats to human health and, for sites and facilities  
17 that are not landfills, the extent to which projects will prevent the development of  
18 undeveloped land by making land available for redevelopment after a cleanup is  
19 conducted. Before the department establishes the priority list, the department shall  
20 consider the recommendations of the department of administration and the  
21 ~~department of commerce~~ Wisconsin Economic Development Corporation.

22           **SECTION 1055.** 281.75 (18) of the statutes is amended to read:

23           281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may  
24 suspend or revoke a license issued under ch. 280 if the department finds that the  
25 licensee falsified information submitted under this section. The department of

1 ~~commerce~~ safety and professional services may suspend or revoke the license of a  
2 plumber licensed under ch. 145 if the department of ~~commerce~~ safety and  
3 professional services finds that the plumber falsified information submitted under  
4 this section.

5 **SECTION 1056.** 285.39 (4) of the statutes is amended to read:

6 285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the  
7 replenishment implementation period, if the department reports under sub. (2) (b)  
8 1. or determines at any other time that the growth accommodation is less than 3,500  
9 tons, the department shall, with the advice of the department of ~~commerce~~ safety and  
10 professional services, submit a report to the chief clerk of each house of the  
11 legislature for distribution to the appropriate standing committees of the legislature  
12 under s. 13.172 (3) on how to most effectively and equitably replenish the growth  
13 accommodation. The report shall review existing studies and data to evaluate the  
14 accuracy of this state's state implementation plan with respect to the effect of  
15 emissions from inside and outside the volatile organic compound accommodation  
16 area on the ambient air quality within the area.

17 **SECTION 1057.** 285.79 (3) (intro.) of the statutes is amended to read:

18 285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation~~  
19 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and  
20 administer a small business stationary source technical and environmental  
21 compliance assistance program. The program shall include all of the following:

22 **SECTION 1058.** 292.11 (2) (e) of the statutes is amended to read:

23 292.11 (2) (e) The department shall report notifications that it receives under  
24 this subsection related to discharges from petroleum storage tanks, as defined in s.  
25 101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

1           **SECTION 1059.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

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

6           **SECTION 1060.** 292.12 (1) (a) of the statutes is amended to read:

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

13           **SECTION 1061.** 292.255 of the statutes is amended to read:

14           **292.255 Report on brownfield efforts.** The department of natural  
15 resources, the department of administration, and the ~~department of commerce~~  
16 Wisconsin Economic Development Corporation shall submit a report evaluating the  
17 effectiveness of this state's efforts to remedy the contamination of, and to redevelop,  
18 brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

19           **SECTION 1062.** 292.33 (6) of the statutes is amended to read:

20           292.33 (6) EXCEPTION. A local governmental unit may not recover costs under  
21 this section for remedial activities conducted on a property or portion of a property  
22 with respect to a discharge after the department of natural resources, the  
23 department of ~~commerce~~ safety and professional services, or the department of  
24 agriculture, trade and consumer protection has indicated that no further remedial

**SECTION 1062**

1 activities are necessary on the property or portion of the property with respect to the  
2 discharge.

3 **SECTION 1063.** 292.79 (1) (a) of the statutes is amended to read:

4 292.79 (1) (a) "Brownfields" has the meaning given in s. ~~560.13~~ 238.13 (1) (a).

5 **SECTION 1064.** 293.11 of the statutes is amended to read:

6 **293.11 Mine effect responsibility.** The department shall serve as the central  
7 unit of state government to ensure that the air, lands, waters, plants, fish and  
8 wildlife affected by prospecting or mining in this state will receive the greatest  
9 practicable degree of protection and reclamation. The administration of  
10 occupational health and safety laws and rules that apply to mining shall remain  
11 exclusively the responsibility of the department of ~~commerce~~ safety and professional  
12 services. The powers and duties of the geological and natural history survey under  
13 s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural  
14 history survey. Nothing in this section prevents the department of ~~commerce~~ safety  
15 and professional services and the geological and natural history survey from  
16 cooperating with the department in the exercise of their respective powers and  
17 duties.

18 **SECTION 1065.** 299.13 (1m) (intro.) of the statutes is amended to read:

19 299.13 (1m) PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the  
20 duties under this section and ~~ss. s. 36.25 (30) and 560.19~~, the department, ~~the~~  
21 ~~department of commerce~~ and the center shall promote all of the following techniques  
22 for pollution prevention:

23 **SECTION 1066.** 299.83 (8) (f) of the statutes is amended to read:

24 299.83 (8) (f) The department and the department of ~~commerce~~ safety and  
25 professional services shall jointly provide information about participation contracts

1 and environmental management systems to potential participants in the program  
2 and to other interested persons. The department shall consult with the department  
3 of ~~commerce~~ safety and professional services about the administration of the  
4 program.

5 **SECTION 1067.** 346.503 (1m) (g) of the statutes is amended to read:

6 346.503 (1m) (g) This subsection does not affect the authority under s. 101.13  
7 of the department of ~~commerce~~ safety and professional services to require by rule the  
8 reservation of parking spaces for use by a motor vehicle used by a physically disabled  
9 person.

10 **SECTION 1068.** 346.503 (4) of the statutes is amended to read:

11 346.503 (4) The department, after consulting with the department of  
12 ~~commerce~~ safety and professional services, shall promulgate rules governing the  
13 design, size and installation of the official traffic signs required under sub. (2) or  
14 (2m).

15 **SECTION 1069.** Chapter 440 (title) of the statutes is amended to read:

16 **CHAPTER 440**

17 **DEPARTMENT OF ~~REGULATION AND~~**

18 **LICENSING SAFETY AND**

19 **PROFESSIONAL SERVICES**

20 **SECTION 1070.** 440.01 (1) (aj) of the statutes is amended to read:

21 440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~  
22 safety and professional services.

23 **SECTION 1071.** 440.01 (1) (g) of the statutes is amended to read:

24 440.01 (1) (g) "Secretary" means the secretary of ~~regulation and licensing~~  
25 safety and professional services.

1           **SECTION 1072.** 440.01 (2) (cs) of the statutes is amended to read:

2           440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~560.036~~  
3           490.04 (1) (f).

4           **SECTION 1073.** 440.03 (1m) of the statutes is amended to read:

5           440.03 (1m) The department may promulgate rules specifying the number of  
6           business days within which the department or any examining board or affiliated  
7           credentialing board in the department must review and make a determination on an  
8           application for a permit, as defined in s. ~~560.41(2)~~ 227.116 (1g), that is issued under  
9           chs. 440 to 480.

10          **SECTION 1074.** 440.03 (3q) of the statutes is amended to read:

11          440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~  
12          ~~licensing safety and professional services~~ shall investigate any report that it receives  
13          under s. 146.40 (4r) (em).

14          **SECTION 1075.** 440.03 (11m) (c) of the statutes is amended to read:

15          440.03 (11m) (c) The department of ~~regulation and licensing safety and~~  
16          ~~professional services~~ may not disclose a social security number obtained under par.  
17          (a) to any person except the coordinated licensure information system under s.  
18          441.50 (7); the department of children and families for purposes of administering s.  
19          49.22; and, for a social security number obtained under par. (a) 1., the department  
20          of revenue for the purpose of requesting certifications under s. 73.0301 and  
21          administering state taxes.

22          **SECTION 1076.** 440.03 (12m) of the statutes is amended to read:

23          440.03 (12m) The department of ~~regulation and licensing safety and~~  
24          ~~professional services~~ shall cooperate with the departments of justice, children and  
25          families, and health services in developing and maintaining a computer linkup to

1 provide access to information regarding the current status of a credential issued to  
2 any person by the department of ~~regulation and licensing~~ safety and professional  
3 services, including whether that credential has been restricted in any way.

4 **SECTION 1077.** 440.03 (18) (a) of the statutes is created to read:

5 440.03 (18) (a) In this subsection, "veteran" has the meaning given in s. 45.01  
6 (12).

7 **SECTION 1078.** 440.13 (1) (b) of the statutes is amended to read:

8 440.13 (1) (b) "Memorandum of understanding" means a memorandum of  
9 understanding entered into by the department of ~~regulation and licensing~~ safety and  
10 professional services and the department of children and families under s. 49.857.

11 **SECTION 1079.** 440.22 (2) of the statutes is amended to read:

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

24 **SECTION 1080.** 440.905 (1) of the statutes is amended to read:

**SECTION 1080**

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

5           **SECTION 1081.** 440.92 (2) (d) of the statutes is amended to read:

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

18           **SECTION 1082.** 440.945 (5) (b) of the statutes is amended to read:

19           440.945 (5) (b) The department of justice or any district attorney, upon  
20 informing the department of justice, may commence an action in circuit court in the  
21 name of the state to restrain by temporary or permanent injunction any violation of  
22 this section. The court may, prior to entry of final judgment, make such orders or  
23 judgments as may be necessary to restore to any person any pecuniary loss suffered  
24 because of the acts or practices involved in the action, if proof of such loss is submitted  
25 to the satisfaction of the court. The department of justice may subpoena persons and

1 require the production of books and other documents, and may request the  
2 department of ~~regulation and licensing~~ safety and professional services to exercise  
3 its authority under par. (a) to aid in the investigation of alleged violations of this  
4 section.

5 **SECTION 1083.** 452.13 (2) (b) 1. of the statutes is amended to read:

6 452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~  
7 safety and professional services the name and address of the depository institution  
8 and the number of the interest-bearing common trust account.

9 **SECTION 1084.** 452.13 (2) (b) 2. of the statutes is amended to read:

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

13 **SECTION 1085.** 452.13 (2) (b) 3. of the statutes is amended to read:

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

21 **SECTION 1086.** 452.13 (2) (bm) of the statutes is amended to read:

22 452.13 (2) (bm) The department of ~~regulation and licensing~~ safety and  
23 professional services shall forward to the ~~department of commerce~~ Wisconsin  
24 Housing and Economic Development Authority the information and documents  
25 furnished under par. (b).

1           **SECTION 1087.** 452.13 (2) (d) of the statutes is amended to read:

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

5           **SECTION 1088.** 452.13 (2) (e) 1. of the statutes is amended to read:

6           452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~  
7 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total  
8 interest or dividends, minus service charges or fees, earned on the average daily  
9 balance in the interest-bearing common trust account during the 12 months ending  
10 on the previous December 31. A depository institution is not required to remit any  
11 amount if the total interest or dividends for that period is less than \$10 before any  
12 deduction for service charges or fees.

13           **SECTION 1089.** 452.13 (2) (e) 2. of the statutes is amended to read:

14           452.13 (2) (e) 2. When the interest remittance is sent, furnish to the  
15 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority  
16 and to the broker maintaining the interest-bearing common trust account a  
17 statement that includes the name of the broker for whose account the remittance is  
18 made, the rate of interest applied, the amount of service charges or fees deducted,  
19 if any, and the account balance for the period that the statement covers.

20           **SECTION 1090.** 452.13 (2) (f) 2. of the statutes is amended to read:

21           452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing  
22 common trust account against the ~~department of commerce~~ Wisconsin Housing and  
23 Economic Development Authority.

24           **SECTION 1091.** 452.13 (2) (f) 3. of the statutes is amended to read:



1           **SECTION 1099.** 560.01 (title), (1) and (2) of the statutes are repealed.

2           **SECTION 1100.** 560.01 (3) of the statutes is renumbered 238.04 (14) and  
3 amended to read:

4           238.04 (14) ~~FOREIGN OFFICE AGREEMENTS.~~ The department may enter Enter into  
5 agreements regarding compensation, space, and other administrative matters as are  
6 necessary to operate departmental offices in other states and foreign countries. Such  
7 agreements shall be subject to the approval of the secretary of administration.

8           **SECTION 1101.** 560.02 of the statutes is repealed.

9           **SECTION 1102.** 560.03 (title) of the statutes is repealed.

10          **SECTION 1103.** 560.03 (intro.) of the statutes is repealed.

11          **SECTION 1104.** 560.03 (1) of the statutes is repealed.

12          **SECTION 1105.** 560.03 (2) of the statutes is repealed.

13          **SECTION 1106.** 560.03 (3) of the statutes is repealed.

14          **SECTION 1107.** 560.03 (4) of the statutes is repealed.

15          **SECTION 1108.** 560.03 (4m) of the statutes is repealed.

16          **SECTION 1109.** 560.03 (5) of the statutes is repealed.

17          **SECTION 1110.** 560.03 (6) of the statutes is repealed.

18          **SECTION 1111.** 560.03 (8) of the statutes is repealed.

19          **SECTION 1112.** 560.03 (9) of the statutes is repealed.

20          **SECTION 1113.** 560.03 (10) of the statutes is repealed.

21          **SECTION 1114.** 560.03 (11) of the statutes is repealed.

22          **SECTION 1115.** 560.03 (16) of the statutes is repealed.

23          **SECTION 1116.** 560.03 (17) of the statutes is renumbered 238.25 and amended

24 to read:

✓  
INSERT  
284  
11  
→

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           **SECTION 1117.** 560.03 (18) of the statutes is repealed.

7           **SECTION 1118.** 560.03 (19) of the statutes is repealed.

8           **SECTION 1119.** 560.03 (20) of the statutes is repealed.

9           **SECTION 1120.** 560.03 (21) of the statutes is repealed.

10          **SECTION 1121.** 560.03 (22) of the statutes is repealed.

11          **SECTION 1122.** 560.03 (23) of the statutes is repealed.

12          **SECTION 1123.** 560.03 (25) of the statutes is repealed.

13          **SECTION 1124.** 560.03 (26) of the statutes is repealed.

14          **SECTION 1125.** 560.031 of the statutes is repealed.

15          **SECTION 1126.** 560.032 of the statutes is renumbered 238.10 and amended to  
16 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.

INSERT  
285-6

INSERT  
285-12  
INSERT  
285-13

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           **SECTION 1127.** 560.033 of the statutes is repealed.

16           **SECTION 1128.** 560.0335 of the statutes is renumbered 490.02.

17           **SECTION 1129.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1),  
18 (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           **SECTION 1130.** 560.035 of the statutes is renumbered 490.03.

15           **SECTION 1131.** 560.036 of the statutes is renumbered 490.04.

16           **SECTION 1132.** 560.037 of the statutes is renumbered 490.06, and 490.06 (1)  
17 (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           **SECTION 1133.** 560.04 of the statutes is repealed.

22           **SECTION 1134.** 560.045 of the statutes is repealed.

23           **SECTION 1135.** 560.047 of the statutes is repealed.

24           **SECTION 1136.** 560.05 of the statutes is repealed.

25           **SECTION 1137.** 560.07 of the statutes is repealed.

1           **SECTION 1138.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2),  
2 as renumbered, is amended to read:

3           238.12 (2) The ~~department~~ corporation may not award a grant or loan under  
4 this chapter to a person or certify a person to receive tax benefits unless the  
5 ~~department~~ corporation enters into an agreement with the person that requires the  
6 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the  
7 grant or loan or being certified to receive tax benefits, the person ceases to conduct  
8 in this state the economic activity for which the person received the grant or loan or  
9 for which the person was certified to receive tax benefits and commences  
10 substantially the same economic activity outside this state.

11           **SECTION 1139.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j)  
12 of the statutes are repealed.

13           **SECTION 1140.** 560.08 (2) (m) of the statutes is renumbered 238.26 and  
14 amended to read:

15           **238.26 Report to investment board.** No later than September 30 of each  
16 even-numbered year, the corporation shall submit to the investment board a report  
17 describing the types of investments in businesses in this state ~~which~~ that will have  
18 the greatest likelihood of enhancing economic development in this state.

19           **SECTION 1141.** 560.081 of the statutes is repealed.

20           **SECTION 1142.** 560.082 of the statutes is repealed.

21           **SECTION 1143.** 560.09 of the statutes is repealed.

22           **SECTION 1144.** 560.097 of the statutes is renumbered 238.15 and amended to  
23 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           **SECTION 1145.** 560.11 of the statutes is repealed.

5           **SECTION 1146.** 560.125 of the statutes is renumbered 101.45, and 101.45 (4) (d)  
6           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           **SECTION 1147.** 560.126 of the statutes is repealed.

11           **SECTION 1148.** 560.128 of the statutes is repealed.

12           **SECTION 1149.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered  
13           238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and  
14           (f) and (5), as renumbered, are amended to read:

15                   238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~  
16           ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if  
17           all of the following apply:

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

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

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

Insert  
289-9

INSERT  
289-10

1 (5) Before the ~~department~~ corporation awards a grant under this section, the  
2 ~~department~~ corporation shall consider the recommendations of the department of  
3 administration and the department of natural resources.

4 SECTION 1150. 560.13 (4) of the statutes is repealed.

5 SECTION 1151. 560.13 (6) of the statutes is repealed.

6 SECTION 1152. 560.138 of the statutes is repealed.

7 SECTION 1153. 560.139 of the statutes is repealed.

8 SECTION 1154. 560.145 of the statutes is repealed.

9 SECTION 1155. 560.15 of the statutes is repealed.

10 SECTION 1156. 560.155 of the statutes is repealed.

11 SECTION 1157. 560.157 of the statutes is repealed.

12 SECTION 1158. 560.165 of the statutes is repealed.

13 SECTION 1159. 560.167 of the statutes is repealed.

14 SECTION 1160. 560.17 of the statutes is repealed.

15 SECTION 1161. 560.19 of the statutes is repealed.

16 SECTION 1162. 560.203 of the statutes is repealed.

17 SECTION 1163. 560.204 of the statutes is renumbered 238.14 and amended to

18 read:

19 **238.14 Hardware and software used to maintain medical records. (1)**

20 The ~~department~~ corporation shall implement a program to certify health care  
21 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),  
22 71.28 (5i), and 71.47 (5i).

23 (2) If the ~~department~~ corporation certifies a health care provider under sub.

24 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to

Handwritten note: "I ASSESS 290-9" with an arrow pointing to line 10.

1 the health care provider. The total amount of electronic medical records credits  
2 allocated to health care providers in any year may not exceed \$10,000,000.

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

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

8 **SECTION 1164.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1)  
9 (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are  
10 amended to read:

11 238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation  
12 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A  
13 business desiring certification shall submit an application to the ~~department~~  
14 corporation in each taxable year for which the business desires certification. The  
15 business shall specify in its application the investment amount it wishes to raise and  
16 the ~~department~~ corporation may certify the business and determine the amount that  
17 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~  
18 ~~the department, a~~ A business may be certified under this subsection, and may  
19 maintain such certification, only if the business satisfies all of the following  
20 conditions:

21 (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation  
22 shall implement a program to certify investment fund managers for purposes of ss.  
23 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring  
24 certification shall submit an application to the ~~department~~ corporation. The  
25 investment fund manager shall specify in the application the investment amount

1 that the manager wishes to raise and the ~~department~~ corporation may certify the  
2 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),  
3 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment  
4 fund manager, the ~~department~~ corporation shall consider the investment fund  
5 manager's experience in managing venture capital funds, the past performance of  
6 investment funds managed by the applicant, the expected level of investment in the  
7 investment fund to be managed by the applicant, and any other relevant factors. The  
8 ~~department~~ corporation may certify only investment fund managers that commit to  
9 consider placing investments in businesses certified under sub. (1).

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

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

18 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation  
19 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this  
20 section. The rules shall further define "bona fide angel investment" for purposes of  
21 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under  
22 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.  
23 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,  
24 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years  
25 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for

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

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

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

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

3           (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28  
4 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person  
5 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III  
6 of ch. 76, if the person receives prior authorization from the investment fund  
7 manager and the manager then notifies the ~~department of commerce~~ corporation  
8 and the department of revenue of the transfer and submits with the notification a  
9 copy of the transfer documents. No person may sell or otherwise transfer a credit as  
10 provided in this paragraph more than once in a 12-month period. The ~~department~~  
11 corporation may charge any person selling or otherwise transferring a credit under  
12 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. ~~The~~  
13 ~~department shall deposit all fees collected under this paragraph in the appropriation~~  
14 ~~account under s. 20.143 (1) (gm).~~

15           **SECTION 1165.** 560.2055 (title) and (1) of the statutes are renumbered 238.16  
16 (title) and (1).

17           **SECTION 1166.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and  
18 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

19           238.16 (2) (intro.) The ~~department~~ corporation may certify a person to receive  
20 tax benefits under this section if all of the following apply:

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

23           **SECTION 1167.** 560.2055 (3) (intro.) and (c) of the statutes are renumbered  
24 238.16 (3) (intro.) and (c) and amended to read:

1           238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.  
2           (2) may receive tax benefits under this section if, in each year for which the person  
3           claims tax benefits under this section, ~~the person increases net employment in the~~  
4           ~~person's business and~~ one of the following ~~apply~~ applies:

5           (c) In a tier I county or municipality or a tier II county or municipality, the  
6           person increases net employment in the person's business and improves the  
7           job-related skills of any eligible employee, trains any eligible employee on the use  
8           of job-related new technologies, or provides job-related training to any eligible  
9           employee whose employment with the person represents the employee's first  
10          full-time job.

11          **SECTION 1168.** 560.2055 (3) (a) of the statutes is repealed.

12          **SECTION 1169.** 560.2055 (3) (b) of the statutes is repealed.

13          **SECTION 1170.** 560.2055 (4) (title) and (a) of the statutes are renumbered  
14          238.16 (4) (title) and (a).

15          **SECTION 1171.** 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16  
16          (4) (b) 1. and amended to read:

17          238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified  
18          under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10  
19          percent of the wages paid by the person to that employee ~~if that employee earned~~  
20          ~~wages in the year for which the tax benefit is claimed equal to one of the following:~~  
21          or \$10,000, whichever is less.

22          **SECTION 1172.** 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

23          **SECTION 1173.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16  
24          (4) (b) 2. and (c) and amended to read:

1           238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified  
2 under sub. (2) tax benefits in an amount to be determined by the ~~department by rule~~  
3 corporation for costs incurred by the person to undertake the training activities  
4 described in sub. (3) (c).

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

8           **SECTION 1174.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and  
9 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are  
10 amended to read:

11           238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~  
12 ~~of commerce~~ corporation shall notify the department of revenue when the  
13 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

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

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

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

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

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

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

7 **SECTION 1175.** 560.2056 of the statutes is renumbered 238.17 and amended to  
8 read:

9 **238.17 Food processing plant and food warehouse investment credit.**

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

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

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

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

1           **SECTION 1176.** 560.206 of the statutes is renumbered 41.155, and 41.155 (4),  
2 as renumbered, is amended to read:

3           41.155 (4) The department of ~~commerce~~ tourism, in consultation with the  
4 department of revenue, shall promulgate rules to administer this section.

5           **SECTION 1177.** 560.207 of the statutes is renumbered 93.535 and amended to  
6 read:

7           **93.535 Dairy manufacturing facility investment credit.** (1) The  
8 department of ~~commerce~~ shall implement a program to certify taxpayers, including  
9 taxpayers who are members of dairy cooperatives, as eligible for the dairy  
10 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47  
11 (3p).

12           (2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the  
13 department of ~~commerce~~ shall determine the amount of credits to allocate to that  
14 taxpayer. The total amount of dairy manufacturing facility investment credits  
15 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total  
16 amount of dairy manufacturing facility investment credits allocated to taxpayers  
17 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal  
18 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing  
19 facility investment credits allocated to taxpayers who are members of dairy  
20 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount  
21 of dairy manufacturing facility investment credits allocated to taxpayers who are  
22 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year  
23 thereafter, may not exceed \$700,000.

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

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

6           **SECTION 1178.** 560.208 of the statutes is renumbered 238.19 and amended to  
7 read:

8           **238.19 Meat processing facility investment credit.** (1) The ~~department~~  
9 ~~of commerce~~ corporation shall implement a program to certify taxpayers as eligible  
10 for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and  
11 71.47 (3r).

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

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

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

24           **SECTION 1179.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1)  
25 (intro.), (2) and (3), as renumbered, are amended to read:

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

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

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

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

18           **SECTION 1180.** 560.209 of the statutes is renumbered 238.21 and amended to  
19 read:

20           **238.21 Woody biomass harvesting and processing credit.** (1) The  
21 ~~department of commerce~~ corporation shall implement a program to certify taxpayers  
22 as eligible for the woody biomass harvesting and processing credit under ss. 71.07  
23 (3rm), 71.28 (3rm), and 71.47 (3rm).

24           (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.  
25 (1), the ~~department of commerce~~ corporation shall determine the amount of credits