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

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

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

SECTION 966. 231.20 of the statutes is amended to read:

231.20 Waiver of construction and bidding requirements. In exercising its powers under s. 101.12, the department of ~~commerce~~ safety and professional services or any city, village, town, or county may, within its discretion for proper cause shown, waive any particular requirements relating to public buildings, structures, grounds, works, and improvements imposed by law upon projects under this chapter; the requirements of s. 101.13 may not be waived, however. If, however, the prospective lessee so requests in writing, the authority shall, through the participating health institution, participating educational institution, participating research institution, or participating child care provider as its agent, call for construction bids in such manner as is determined by the authority with the approval of the lessee.

SECTION 967. 231.27 (1) of the statutes is amended to read:

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

SECTION 968. 231.29 (1) of the statutes is amended to read:

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

SECTION 969. 231.35 (6) (a) of the statutes is amended to read:

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

SECTION 970. 231.35 (6) (b) of the statutes is amended to read:

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

SECTION 971. 231.35 (7) (intro.) of the statutes is amended to read:

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

SECTION 972. 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

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

SECTION 973. 234.02 (1) of the statutes is amended to read:

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

SECTION 974. 234.032 (2) (intro.) of the statutes is amended to read:

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

SECTION 975. 234.034 of the statutes is amended to read:

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

1 **SECTION 976.** 234.06 (1) of the statutes is amended to read:

2 234.06 **(1)** The authority may, as authorized in the state housing strategy plan
3 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
4 to make temporary loans to eligible sponsors, with or without interest, and with such
5 security for repayment, if any, as the authority determines reasonably necessary and
6 practicable, solely from the housing development fund, to defray development costs
7 for the construction of proposed housing projects for occupancy by persons and
8 families of low and moderate income. No temporary loan may be made unless the
9 authority may reasonably anticipate that satisfactory financing may be obtained by
10 the eligible sponsor for the permanent financing of the housing project.

11 **SECTION 977.** 234.06 (3) of the statutes is amended to read:

12 234.06 **(3)** The authority may, as authorized in the state housing strategy plan
13 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
14 to establish and administer programs of grants to counties, municipalities, and
15 eligible sponsors of housing projects for persons of low and moderate income, to pay
16 organizational expenses, administrative costs, social services, technical services,
17 training expenses, or costs incurred or expected to be incurred by counties,
18 municipalities, or sponsors for land and building acquisition, construction,
19 improvements, renewal, rehabilitation, relocation, or conservation under a plan to
20 provide housing or related facilities, if the costs are not reimbursable from other
21 private or public loan, grant, or mortgage sources.

22 **SECTION 978.** 234.08 (5) of the statutes is amended to read:

23 234.08 **(5)** This section does not supersede or impair the power of the
24 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out

its program responsibilities relating to economic development which are funded by bonds or notes issued under this section.

SECTION 979. 234.08 (6) of the statutes is amended to read:

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

SECTION 980. 234.165 (2) (b) 2. of the statutes is amended to read:

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

SECTION 981. 234.25 (1) (e) of the statutes is amended to read:

234.25 **(1)** (e) An evaluation of its progress in implementing within its own housing programs the goals, policies, and objectives of the state housing strategy plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its ability to carry out its programs consistent with the state housing strategy plan.

SECTION 982. 234.255 (title) of the statutes is amended to read:

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

SECTION 983. 234.255 of the statutes is renumbered 234.255 (2) and amended to read:

1 **234.255 (2)** Annually, no later than October 1, the authority shall submit to the
2 joint legislative audit committee and to the appropriate standing committees of the
3 legislature under s. 13.172 (3) a comprehensive report assessing economic
4 development programs, as defined in s. 234.032 (1), administered by the authority.
5 The report shall include all of the information required under s. ~~560.01 (2) (am)~~
6 238.07 (2). The authority shall collaborate with the ~~department of commerce~~
7 Wisconsin Economic Development Corporation to make readily accessible to the
8 public on an Internet-based system the information required under this section.

9 **SECTION 984.** 234.255 (1) of the statutes is created to read:

10 234.255 **(1)** The authority shall coordinate any economic development
11 assistance with the Wisconsin Economic Development Corporation.

12 **SECTION 985.** 234.35 (1) of the statutes is amended to read:

13 234.35 **(1)** In this section, "minority business", "minority financial adviser" and
14 "minority investment firm" mean a business, financial adviser and investment firm,
15 respectively, certified by the department of ~~commerce~~ safety and professional
16 services under s. ~~560.036~~ 490.04 (2).

17 **SECTION 986.** 234.36 (1) of the statutes is amended to read:

18 234.36 **(1)** In this section, "business," "financial adviser," and "investment firm"
19 mean a business, financial adviser, and investment firm certified by the department
20 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

21 **SECTION 987.** 234.65 (1) (a) of the statutes is amended to read:

22 234.65 **(1)** (a) With the consent of the ~~department of commerce~~ Wisconsin
23 Economic Development Corporation and subject to par. (f), the authority may issue
24 its negotiable bonds and notes to finance its economic development activities

authorized or required under this chapter, including financing economic development loans.

SECTION 988. 234.65 (1) (f) of the statutes is amended to read:

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

SECTION 989. 234.65 (1m) of the statutes is amended to read:

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

SECTION 990. 234.65 (3) (a) of the statutes is amended to read:

234.65 **(3)** (a) The business that will receive the loan, at least 30 days prior to signing of the loan contract, has given notice of intent to sign the contract, on a form prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~ Wisconsin Economic Development Corporation and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement.

SECTION 991. 234.65 (3) (am) of the statutes is amended to read:

234.65 **(3)** (am) The authority has received an estimate issued under s. ~~560.034~~ 238.11 (5) (b), and the ~~department of commerce~~ Wisconsin Economic Development Corporation has estimated whether the project that the authority would finance under the loan is expected to eliminate, create, or maintain jobs on the project site

and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

SECTION 992. 234.65 (3m) of the statutes is amended to read:

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

SECTION 993. 234.65 (3r) of the statutes is amended to read:

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

SECTION 994. 234.65 (5) (intro.) of the statutes is amended to read:

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

SECTION 995. 234.83 (1c) (b) of the statutes is amended to read:

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

1 **SECTION 996.** 234.84 (1) of the statutes is amended to read:

2 234.84 **(1)** DEFINITION. In this section, ~~"department"~~ "corporation" means the
3 ~~department of commerce~~ Wisconsin Economic Development Corporation.

4 **SECTION 997.** 234.84 (3) (c) of the statutes is amended to read:

5 234.84 **(3)** (c) The interest rate on the loan, including any origination fees or
6 other charges, is approved by the ~~department~~ corporation.

7 **SECTION 998.** 234.84 (4) (a) of the statutes is amended to read:

8 234.84 **(4)** (a) Subject to par. (b), the authority shall guarantee collection of a
9 percentage of the principal of, and all interest and any other amounts outstanding
10 on, any loan eligible for a guarantee under sub. (2). The ~~department~~ corporation
11 shall establish the percentage of the principal of an eligible loan that will be
12 guaranteed, using the procedures described in the agreement under s. 234.932 (3)
13 (a). The ~~department~~ corporation may establish a single percentage for all
14 guaranteed loans or establish different percentages for eligible loans on an
15 individual basis.

16 **SECTION 999.** 234.84 (5) (a) of the statutes is amended to read:

17 234.84 **(5)** (a) The program under this section shall be administered by the
18 ~~department~~ corporation with the cooperation of the authority. The ~~department~~
19 corporation shall enter into a memorandum of understanding with the authority
20 setting forth the respective responsibilities of the ~~department~~ corporation and the
21 authority with regard to the administration of the program, including the functions
22 and responsibilities specified in s. 234.932. The memorandum of understanding
23 shall provide for reimbursement to the ~~department~~ corporation by the authority for
24 costs incurred by the ~~department~~ corporation in the administration of the program.

25 **SECTION 1000.** 234.84 (5) (b) of the statutes is amended to read:

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

SECTION 1001. 234.932 (1) of the statutes is repealed.

SECTION 1002. 234.932 (2) (a) of the statutes is amended to read:

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

SECTION 1003. 234.932 (3) (a) (intro.) of the statutes is amended to read:

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

SECTION 1004. 234.932 (3) (a) 2. of the statutes is amended to read:

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

SECTION 1005. 234.932 (3) (c) of the statutes is amended to read:

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

SECTION 1006. 234.932 (4) of the statutes is amended to read:

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

SECTION 1007. 234.932 (5) of the statutes is amended to read:

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

SECTION 1008. 235.02 (2) (d) of the statutes is amended to read:

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

SECTION 1009. 236.12 (2) (a) of the statutes is amended to read:

236.12 **(2)** (a) Two copies for each of the state agencies required to review the plat to the department which shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk highway or connecting highway, the department shall transmit 2 copies to the department of transportation so that agency may determine whether it has any

objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for that service has not been made, the department shall transmit 2 copies to the department of ~~commerce~~ safety and professional services so that that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

SECTION 1010. 236.13 (1) (d) of the statutes is amended to read:

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

SECTION 1011. 236.13 (2m) of the statutes is amended to read:

236.13 **(2m)** As a further condition of approval when lands included in the plat lie within 500 feet of the ordinary high-water mark of any navigable stream, lake or other body of navigable water or if land in the proposed plat involves lake or stream shorelands referred to in s. 236.16, the department of natural resources, to prevent pollution of navigable waters, or the department of ~~commerce~~ safety and professional services, to protect the public health and safety, may require assurance of adequate drainage areas for private sewage disposal systems and building setback restrictions, or provisions by the owner for public sewage disposal facilities for waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s. 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal facilities may consist of one or more systems as the department of natural resources

1 or the department of ~~commerce~~ safety and professional services determines on the
2 basis of need for prevention of pollution of the waters of the state or protection of
3 public health and safety.

4 **SECTION 1012.** 236.335 of the statutes is amended to read:

5 **236.335 Prohibited subdividing; forfeit.** No lot or parcel in a recorded plat
6 may be divided, or used if so divided, for purposes of sale or building development if
7 the resulting lots or parcels do not conform to this chapter, to any applicable
8 ordinance of the approving authority or to the rules of the department of ~~commerce~~
9 safety and professional services under s. 236.13. Any person making or causing such
10 a division to be made shall forfeit not less than $100 nor more than $500 to the
11 approving authority, or to the state if there is a violation of this chapter or the rules
12 of the department of ~~commerce~~ safety and professional services.

13 **SECTION 1013.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
14 statutes is created to read:

15 **CHAPTER 238**

16 SUBCHAPTER I

17 GENERAL PROVISIONS

18 **SECTION 1014.** 238.08 of the statutes is created to read:

19 **238.08 Records of the corporation.** All records of the corporation are open
20 to the public as provided in s. 19.35 (1) except those records relating to pending
21 grants, loans, or economic development projects that, in the opinion of the
22 corporation, must remain confidential to protect the competitive nature of the grant,
23 loan, or project.

24 **SECTION 1015.** 238.135 of the statutes is created to read:

238.135 Grants to regional economic development organizations. The corporation shall award annual grants to regional economic development organizations to fund marketing activities. The amount of each grant may not exceed $100,000 or the amount of matching funds the organization obtains from sources other than the corporation or the state, whichever is less.

SECTION 1016. 238.16 (3) (am) of the statutes is created to read:

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

SECTION 1017. Subchapter II (title) of chapter 238 [precedes 238.30] of the statutes is created to read:

CHAPTER 238

SUBCHAPTER II

TAX INCENTIVES FOR BUSINESS DEVELOPMENT

SECTION 1018. 252.12 (2) (a) 9. of the statutes is amended to read:

252.12 **(2)** (a) 9. 'Grant for family resource center.' The department shall award a grant to develop and implement an African-American family resource center in the city of Milwaukee that targets activities toward the prevention and treatment of HIV infection and related infections, including hepatitis C virus infection, of minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

SECTION 1019. 252.12 (2) (c) 2. of the statutes is amended to read:

252.12 **(2)** (c) 2. From the appropriation account under s. 20.435 (1) (am), the department shall award $75,000 in each fiscal year as grants for services to prevent HIV infection and related infections, including hepatitis C virus infection. Criteria for award of the grants shall include the criteria specified under subd. 1. The department shall award 60% of the funding to applying organizations that receive

1 funding under par. (a) 8. and 40% of the funding to applying community-based
2 organizations that are operated by minority group members, as defined in s. ~~560.036~~
3 490.04 (1) (f).

4 **SECTION 1020.** 252.15 (5g) (c) of the statutes is amended to read:

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

21 **SECTION 1021.** 253.15 (1) (c) of the statutes is amended to read:

22 253.15 **(1)** (c) "Health care provider" means any person who is licensed,
23 registered, permitted, or certified by the department of health services or the
24 department of ~~regulation and licensing~~ safety and professional services to provide
25 health care services in this state.

1 **SECTION 1022.** 254.02 (3) (a) of the statutes is amended to read:

2 254.02 **(3)** (a) The department of agriculture, trade and consumer protection,
3 the department of corrections, the department of ~~commerce~~ safety and professional
4 services, and the department of natural resources shall enter into memoranda of
5 understanding with the department to establish protocols for the department to
6 review proposed rules of those state agencies relating to air and water quality,
7 occupational health and safety, institutional sanitation, toxic substances, indoor air
8 quality, food protection or waste handling and disposal.

9 **SECTION 1023.** 254.176 (2) (e) of the statutes is amended to read:

10 254.176 **(2)** (e) A person who engages in the business of installing or servicing
11 heating, ventilating or air conditioning equipment if the person is registered with the
12 department of ~~commerce~~ safety and professional services and if the person engages
13 in activities that constitute lead hazard reduction, only to the extent that the
14 activities are within the scope of his or her registration.

15 **SECTION 1024.** 254.22 (4) of the statutes is amended to read:

16 254.22 **(4)** Assist the department of ~~commerce~~ safety and professional services
17 with the enforcement of s. 101.123.

18 **SECTION 1025.** 254.51 (2) of the statutes is amended to read:

19 254.51 **(2)** The department shall enter into memoranda of understanding with
20 the department of agriculture, trade and consumer protection, the department of
21 ~~commerce~~ safety and professional services, and the department of natural resources
22 regarding the investigation and control of animal-borne and vector-borne disease.

23 **SECTION 1026.** 254.73 (1) of the statutes is amended to read:

24 254.73 **(1)** Every hotel with sleeping accommodations with more than 12
25 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.

provide a system of security personnel patrol, or of mechanical and electrical devices, or both, adequate, according to standards established by the department of ~~commerce~~ safety and professional services, to warn all guests and employees in time to permit their evacuation in case of fire.

SECTION 1027. 254.74 (1) (am) of the statutes is amended to read:

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

SECTION 1028. 254.78 of the statutes is amended to read:

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

SECTION 1029. 254.79 of the statutes is amended to read:

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

SECTION 1030. 256.35 (3m) (h) of the statutes is amended to read:

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

SECTION 1031. 281.33 (2) of the statutes is amended to read:

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

SECTION 1032. 281.33 (3m) (title) of the statutes is repealed.

SECTION 1033. 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1).

SECTION 1034. 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and amended to read:

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

SECTION 1035. 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and amended to read:

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

SECTION 1036. 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

SECTION 1037. 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and amended to read:

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

SECTION 1038. 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and amended to read:

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

SECTION 1039. 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and amended to read:

101.1206 **(6)** The department, or a county, city, village, or town to which the department delegates the authority to act under this ~~paragraph~~ subsection, may

issue a special order directing the immediate cessation of work on a construction site described in ~~par. (a)~~ sub. (1) until any required plan approval is obtained or until the site complies with standards established by rules promulgated under this ~~subsection~~ section.

SECTION 1040. 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

SECTION 1041. 281.344 (8) (a) of the statutes is amended to read:

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

SECTION 1042. 281.344 (8) (b) (intro.) of the statutes is amended to read:

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

SECTION 1043. 281.344 (8) (b) 3. of the statutes is amended to read:

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

SECTION 1044. 281.346 (8) (a) of the statutes is amended to read:

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

SECTION 1045. 281.346 (8) (b) (intro.) of the statutes is amended to read:

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

SECTION 1046. 281.346 (8) (b) 3. of the statutes is amended to read:

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

SECTION 1047. 281.57 (7) (c) 1. of the statutes is amended to read:

281.57 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33% of the sum of the amounts in the schedule for that fiscal year for the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balance at the end of the preceding fiscal year for the

amount authorized under sub. (10). This subdivision is not applicable to grant awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

SECTION 1048. 281.60 (6) of the statutes is amended to read:

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

SECTION 1049. 281.75 (18) of the statutes is amended to read:

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

SECTION 1050. 285.39 (4) of the statutes is amended to read:

285.39 **(4)** REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the replenishment implementation period, if the department reports under sub. (2) (b) 1. or determines at any other time that the growth accommodation is less than 3,500 tons, the department shall, with the advice of the department of ~~commerce~~ safety and

professional services, submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature under s. 13.172 (3) on how to most effectively and equitably replenish the growth accommodation. The report shall review existing studies and data to evaluate the accuracy of this state's state implementation plan with respect to the effect of emissions from inside and outside the volatile organic compound accommodation area on the ambient air quality within the area.

SECTION 1051. 285.79 (3) (intro.) of the statutes is amended to read:

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

SECTION 1052. 292.11 (2) (e) of the statutes is amended to read:

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

SECTION 1053. 292.11 (7) (d) 1m. b. of the statutes is amended to read:

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

SECTION 1054. 292.12 (1) (a) of the statutes is amended to read:

292.12 **(1)** (a) "Agency with administrative authority" means the department of agriculture, trade and consumer protection with respect to a site over which it has jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional

services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a), or the department of natural resources with respect to a site over which it has jurisdiction under s. 292.11 (7).

SECTION 1055. 292.255 of the statutes is amended to read:

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

SECTION 1056. 292.33 (6) of the statutes is amended to read:

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

SECTION 1057. 292.79 (1) (a) of the statutes is amended to read:

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

SECTION 1058. 293.11 of the statutes is amended to read:

293.11 Mine effect responsibility. The department shall serve as the central unit of state government to ensure that the air, lands, waters, plants, fish and wildlife affected by prospecting or mining in this state will receive the greatest practicable degree of protection and reclamation. The administration of occupational health and safety laws and rules that apply to mining shall remain

exclusively the responsibility of the department of ~~commerce~~ safety and professional services. The powers and duties of the geological and natural history survey under s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural history survey. Nothing in this section prevents the department of ~~commerce~~ safety and professional services and the geological and natural history survey from cooperating with the department in the exercise of their respective powers and duties.

SECTION 1059. 299.13 (1m) (intro.) of the statutes is amended to read:

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

SECTION 1060. 299.83 (8) (f) of the statutes is amended to read:

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

SECTION 1061. 346.503 (1m) (g) of the statutes is amended to read:

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

SECTION 1062. 346.503 (4) of the statutes is amended to read:

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

SECTION 1063. Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440

DEPARTMENT OF ~~REGULATION AND~~

~~LICENSING~~ SAFETY AND

PROFESSIONAL SERVICES

SECTION 1064. 440.01 (1) (aj) of the statutes is amended to read:

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

SECTION 1065. 440.01 (1) (g) of the statutes is amended to read:

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

SECTION 1066. 440.01 (2) (cs) of the statutes is amended to read:

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

SECTION 1067. 440.03 (1m) of the statutes is amended to read:

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

SECTION 1068. 440.03 (3q) of the statutes is amended to read:

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

SECTION 1069. 440.03 (11m) (c) of the statutes is amended to read:

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

SECTION 1070. 440.03 (12m) of the statutes is amended to read:

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

SECTION 1071. 440.03 (18) (a) of the statutes is created to read:

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

SECTION 1072. 440.13 (1) (b) of the statutes is amended to read:

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

1 **SECTION 1073.** 440.22 (2) of the statutes is amended to read:

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

14 **SECTION 1074.** 440.905 (1) of the statutes is amended to read:

15 440.905 **(1)** In addition to the other duties and powers of the board under this
16 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
17 and professional services on matters relating to cemeteries, to this chapter, or to the
18 board.

19 **SECTION 1075.** 440.92 (2) (d) of the statutes is amended to read:

20 440.92 **(2)** (d) A preneed seller may not sell any undeveloped space unless the
21 plans for the construction of the mausoleum have been submitted to the department
22 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and
23 the preneed sales contract includes the following language in not less than 10-point
24 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
25 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~COMMERCE~~ SAFETY

AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE PLANS BY THE DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES."

SECTION 1076. 440.945 (5) (b) of the statutes is amended to read:

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

SECTION 1077. 452.13 (2) (b) 1. of the statutes is amended to read:

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

SECTION 1078. 452.13 (2) (b) 2. of the statutes is amended to read:

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

SECTION 1079. 452.13 (2) (b) 3. of the statutes is amended to read:

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

SECTION 1080. 452.13 (2) (bm) of the statutes is amended to read:

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

SECTION 1081. 452.13 (2) (d) of the statutes is amended to read:

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

SECTION 1082. 452.13 (2) (e) 1. of the statutes is amended to read:

452.13 **(2)** (e) 1. Annually, before February 1, remit to the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority the total interest or dividends, minus service charges or fees, earned on the average daily balance in the interest-bearing common trust account during the 12 months ending

on the previous December 31. A depository institution is not required to remit any amount if the total interest or dividends for that period is less than $10 before any deduction for service charges or fees.

SECTION 1083. 452.13 (2) (e) 2. of the statutes is amended to read:

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

SECTION 1084. 452.13 (2) (f) 2. of the statutes is amended to read:

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

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

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

SECTION 1086. 452.13 (5) of the statutes is amended to read:

452.13 **(5)** RULES. In consultation with the ~~department of regulation and licensing, the department of commerce~~ Wisconsin Housing and Economic

1 Development Authority, the department of safety and professional services shall
2 promulgate rules necessary to administer this section.
3 **SECTION 1087.** 462.01 (3) of the statutes is amended to read:
4 462.01 **(3)** "Department" means the department of ~~regulation and licensing~~
5 safety and professional services.
6 **SECTION 1088.** Chapter 490 of the statutes is created to read:
7 **CHAPTER 490**
8 **BUSINESS ASSISTANCE PROGRAMS**
9 **SECTION 1089.** 490.01 of the statutes is created to read:
10 **490.01 Definitions.** In this chapter:
11 **(1)** "Department" means the department of safety and professional services.
12 **(2)** "Secretary" means the secretary of safety and professional services.
13 **SECTION 1090.** Chapter 560 (title) of the statutes is repealed.
14 **SECTION 1091.** Subchapter I (title) of chapter 560 [precedes 560.001] of the
15 statutes is repealed.
16 **SECTION 1092.** 560.001 of the statutes is repealed.
17 **SECTION 1093.** 560.01 (title), (1) and (2) of the statutes are repealed.
18 **SECTION 1094.** 560.01 (3) of the statutes is renumbered 238.04 (14) and
19 amended to read:
20 238.04 **(14)** ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
21 agreements regarding compensation, space, and other administrative matters as are
22 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such
23 agreements shall be subject to the approval of the secretary of administration.
24 **SECTION 1095.** 560.02 of the statutes is repealed.
25 **SECTION 1096.** 560.03 (title) of the statutes is repealed.

1 **SECTION 1097.** 560.03 (intro.) of the statutes is repealed.

2 **SECTION 1098.** 560.03 (1) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0157/3 and LRB-1465/P3.

3 **SECTION 1099.** 560.03 (2) of the statutes is repealed.

4 **SECTION 1100.** 560.03 (3) of the statutes is repealed.

5 **SECTION 1101.** 560.03 (4) of the statutes is repealed.

6 **SECTION 1102.** 560.03 (4m) of the statutes is repealed.

7 **SECTION 1103.** 560.03 (5) of the statutes is repealed.

8 **SECTION 1104.** 560.03 (6) of the statutes is repealed.

9 **SECTION 1105.** 560.03 (8) of the statutes is repealed.

10 **SECTION 1106.** 560.03 (9) of the statutes is repealed.

11 **SECTION 1107.** 560.03 (10) of the statutes is repealed.

12 **SECTION 1108.** 560.03 (11) of the statutes is repealed.

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

14 **SECTION 1110.** 560.03 (17) of the statutes is renumbered 238.25 and amended
15 to read:

16 **238.25 Assistance to loan recipients.** ~~Assist~~ The corporation shall assist
17 new businesses and small businesses receiving economic development loans under
18 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic
19 Development Authority in locating sources of venture capital and in obtaining the
20 state and federal licenses and permits necessary for business operations.

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

****NOTE: This is reconciled s. 560.03 (18). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

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

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

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

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

4 **SECTION 1116.** 560.03 (23) of the statutes is repealed.

5 **SECTION 1117.** 560.03 (25) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (25). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

6 **SECTION 1118.** 560.03 (26) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (26). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

7 **SECTION 1119.** 560.031 of the statutes is repealed.

8 **SECTION 1120.** 560.032 of the statutes is renumbered 238.10 and amended to
9 read:

10 **238.10 Allocation of volume cap on tax-exempt bonds. (1)** ALLOCATION.
11 The ~~department, by rule,~~ corporation shall establish under 26 USC 146 and
12 administer a system for the allocation of the volume cap on the issuance of private
13 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined
14 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and
15 among this state, the Wisconsin Health and Educational Facilities Authority, the
16 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic
17 Development Authority.

18 **(2)** AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year,
19 the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation
20 system established for that year under sub. (1), except that any revision under this
21 subsection does not apply to any allocation under which the recipient of that

allocation has adopted a resolution authorizing the issuance of a private activity bond, as defined in 26 USC 141 (a).

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

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

SECTION 1121. 560.033 of the statutes is repealed.

SECTION 1122. 560.0335 of the statutes is renumbered 490.02.

SECTION 1123. 560.034 of the statutes is renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are amended to read:

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

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

the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

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

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

SECTION 1124. 560.035 of the statutes is renumbered 490.03.

SECTION 1125. 560.036 of the statutes is renumbered 490.04.

SECTION 1126. 560.037 of the statutes is renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is amended to read:

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

SECTION 1127. 560.04 of the statutes is repealed.

SECTION 1128. 560.045 of the statutes is repealed.

SECTION 1129. 560.047 of the statutes is repealed.

SECTION 1130. 560.05 of the statutes is repealed.

SECTION 1131. 560.07 of the statutes is repealed.

SECTION 1132. 560.075 of the statutes is renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

238.12 **(2)** The ~~department~~ corporation may not award a grant or loan under this chapter to a person or certify a person to receive tax benefits unless the

1 ~~department~~ corporation enters into an agreement with the person that requires the
2 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the
3 grant or loan or being certified to receive tax benefits, the person ceases to conduct
4 in this state the economic activity for which the person received the grant or loan or
5 for which the person was certified to receive tax benefits and commences
6 substantially the same economic activity outside this state.

7 **SECTION 1133.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j)
8 of the statutes are repealed.

9 **SECTION 1134.** 560.08 (2) (m) of the statutes is renumbered 238.26 and
10 amended to read:

11 **238.26 Report to investment board.** No later than September 30 of each
12 even-numbered year, the corporation shall submit to the investment board a report
13 describing the types of investments in businesses in this state ~~which~~ that will have
14 the greatest likelihood of enhancing economic development in this state.

15 **SECTION 1135.** 560.081 of the statutes is repealed.

16 **SECTION 1136.** 560.082 of the statutes is repealed.

17 **SECTION 1137.** 560.09 of the statutes is repealed.

18 **SECTION 1138.** 560.097 of the statutes is renumbered 238.15 and amended to
19 read:

20 **238.15 Notification of position openings; compliance.** The ~~department~~
21 corporation shall monitor compliance with the position-opening notification
22 requirements under ss. 66.1103 (6m) and 106.16.

23 **SECTION 1139.** 560.11 of the statutes is repealed.

24 **SECTION 1140.** 560.125 (title) and (1) to (3) of the statutes are renumbered
25 101.45 (title) and (1) to (3).

****NOTE: This is reconciled s. 560.125 (title) and (1) to (3). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

1 **SECTION 1141.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4)
2 (a) to (e), and 101.45 (4) (d) of the statutes, as renumbered, is amended to read:
3 101.45 **(4)** (d) In any fiscal year, the department may not pay to any one
4 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
5 20.165 (2) (sm) for the fiscal year.

****NOTE: This is reconciled s. 560.125 (4) (a) to (e). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

6 **SECTION 1142.** 560.125 (4) (f) and (g) of the statutes are repealed.

****NOTE: This is reconciled s. 560.125 (4) (f) and (g). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

7 **SECTION 1143.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to
8 (6).

****NOTE: This is reconciled s. 560.125 (5) to (6). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

9 **SECTION 1144.** 560.126 of the statutes is repealed.

****NOTE: This is reconciled s. 560.126. This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

10 **SECTION 1145.** 560.128 of the statutes is repealed.
11 **SECTION 1146.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered
12 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and
13 (f) and (5), as renumbered, are amended to read:
14 238.13 **(2)** (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
15 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if
16 all of the following apply:
17 (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
18 Cash contributions may be of private or public funds~~, excluding funds obtained under~~

1 ~~the program under s. 560.17 or under any program under subch. II or V of this~~
2 ~~chapter~~. In-kind contributions shall be limited to actual remediation services.
3 **(3)** (intro.) The ~~department~~ corporation may consider the following criteria in
4 making awards under this section:
5 (f) Any other factors considered by the ~~department~~ corporation to be relevant
6 to assessing the viability and feasibility of the project.
7 **(5)** Before the ~~department~~ corporation awards a grant under this section, the
8 ~~department~~ corporation shall consider the recommendations of the department of
9 administration and the department of natural resources.
10 **SECTION 1147.** 560.13 (4) of the statutes is repealed.
11 **SECTION 1148.** 560.13 (6) of the statutes is repealed.
12 **SECTION 1149.** 560.138 of the statutes is repealed.
13 **SECTION 1150.** 560.139 of the statutes is repealed.
14 **SECTION 1151.** 560.145 of the statutes is repealed.
15 **SECTION 1152.** 560.15 of the statutes is repealed.

****NOTE: This is reconciled s. 560.15. This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

16 **SECTION 1153.** 560.155 of the statutes is repealed.
17 **SECTION 1154.** 560.157 of the statutes is repealed.
18 **SECTION 1155.** 560.165 of the statutes is repealed.
19 **SECTION 1156.** 560.167 of the statutes is repealed.
20 **SECTION 1157.** 560.17 of the statutes is repealed.
21 **SECTION 1158.** 560.19 of the statutes is repealed.
22 **SECTION 1159.** 560.203 of the statutes is repealed.

1 **SECTION 1160.** 560.204 of the statutes is renumbered 238.14 and amended to
2 read:

3 **238.14 Hardware and software used to maintain medical records. (1)**
4 The ~~department~~ corporation shall implement a program to certify health care
5 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),
6 71.28 (5i), and 71.47 (5i).

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

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

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

16 **SECTION 1161.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1)
17 (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are
18 amended to read:

19 238.15 **(1)** ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation
20 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
21 business desiring certification shall submit an application to the ~~department~~
22 corporation in each taxable year for which the business desires certification. The
23 business shall specify in its application the investment amount it wishes to raise and
24 the ~~department~~ corporation may certify the business and determine the amount that
25 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~

1 ~~the department, a~~ A business may be certified under this subsection, and may
2 maintain such certification, only if the business satisfies all of the following
3 conditions:

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

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

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

(d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation with the department of revenue, shall ~~promulgate~~ adopt rules to administer this section. The rules shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) at $3,000,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $5,500,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $6,500,000 for calendar year 2010, and $20,000,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) at $3,500,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $6,000,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $8,000,000 for calendar year 2010, and $20,500,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also provide that, for calendar years beginning after December 31, 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's investment is kept in a certified business, or with a certified fund manager, for no less than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits

under this section that are unused in any calendar year to a person eligible for tax benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

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

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

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

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

SECTION 1162. 560.2055 (title) and (1) of the statutes are renumbered 238.16 (title) and (1).

1 **SECTION 1163.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and
2 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

3 238.16 **(2)** (intro.) The ~~department~~ corporation may certify a person to receive
4 tax benefits under this section if all of the following apply:

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

7 **SECTION 1164.** 560.2055 (3) (intro.) and (c) of the statutes are renumbered
8 238.16 (3) (intro.) and (c) and amended to read:

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

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

19 **SECTION 1165.** 560.2055 (3) (a) of the statutes is repealed.

20 **SECTION 1166.** 560.2055 (3) (b) of the statutes is repealed.

21 **SECTION 1167.** 560.2055 (4) (title) and (a) of the statutes are renumbered
22 238.16 (4) (title) and (a).

23 **SECTION 1168.** 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16
24 (4) (b) 1. and amended to read:

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

SECTION 1169. 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

SECTION 1170. 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

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

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

SECTION 1171. 560.2055 (5) of the statutes is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are amended to read:

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

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

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

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

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

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

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

SECTION 1172. 560.2056 of the statutes is renumbered 238.17 and amended to read:

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

(2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub. (1), the ~~department of commerce~~ corporation shall determine the amount of credits to allocate to that taxpayer. The total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not

exceed $600,000 and the total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed $700,000.

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

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

SECTION 1173. 560.206 of the statutes is renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

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

SECTION 1174. 560.207 of the statutes is renumbered 93.535 and amended to read:

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

(2) If the department ~~of commerce~~ certifies a taxpayer under sub. (1), the department ~~of commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2007-08 may not exceed $600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal

year thereafter, may not exceed $700,000. The total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2009-10 may not exceed $600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed $700,000.

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

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

SECTION 1175. 560.208 of the statutes is renumbered 238.19 and amended to read:

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

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

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

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

6 **SECTION 1176.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1)
7 (intro.), (2) and (3), as renumbered, are amended to read:

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

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

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

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

1 **SECTION 1177.** 560.209 of the statutes is renumbered 238.21 and amended to
2 read:

3 **238.21 Woody biomass harvesting and processing credit. (1)** The
4 ~~department of commerce~~ corporation shall implement a program to certify taxpayers
5 as eligible for the woody biomass harvesting and processing credit under ss. 71.07
6 (3rm), 71.28 (3rm), and 71.47 (3rm).

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

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

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

20 **SECTION 1178.** 560.21 of the statutes is repealed.

21 **SECTION 1179.** 560.25 of the statutes is repealed.

22 **SECTION 1180.** 560.255 of the statutes is repealed.

23 **SECTION 1181.** 560.27 of the statutes is repealed.

24 **SECTION 1182.** 560.275 of the statutes is repealed.

25 **SECTION 1183.** 560.276 of the statutes is repealed.