



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/04/2011 (Per: CMH)

- A ☞ The 2011 drafting file for LRB-0805
- B ☞ The 2011 drafting file for LRB-0808
- C ☞ The 2011 drafting file for LRB-1059
- D ☞ The 2011 drafting file for LRB-1369

☞ Compile Draft – Appendix C... segment IV

has been tranfered to the drafting file for

2011 LRB-1465*

* One of the compile drafts used in the creation of AB 40 & SB 27 (2011 Budget Bill)

Pt.
78

1 not claim credits under this subsection for the taxable year that includes the day on
2 which the certification is revoked; the taxable year that includes the day on which
3 the claimant becomes ineligible for tax benefits; or succeeding taxable years and the
4 claimant may not carry over unused credits from previous years to offset the tax
5 imposed under s. 71.43 for the taxable year that includes the day on which
6 certification is revoked; the taxable year that includes the day on which the claimant
7 becomes ineligible for tax benefits; or succeeding taxable years.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

8 **SECTION 356.** 71.47 (3g) (a) (intro.) of the statutes is amended to read:

9 ^{238.23} 71.47 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.
10 73.03 (35m), and 560.96, ^{2009 statute} a business that is certified under s. ^{238.23(3) or} 560.96 (3) ^{2009 statute} may claim
11 as a credit against the taxes imposed under s. 71.43 an amount equal to the sum of
12 the following, as established under s. ^{238.23(3)(c) or} 560.96 (3) ^{2009 statute} (c):

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

13 **SECTION 357.** 71.47 (3g) (e) 2. of the statutes is amended to read:

14 71.47 (3g) (e) 2. The investments that relate to the amount described under par.
15 (a) 2. for which a claimant makes a claim under this subsection must be retained for
16 use in the technology zone for the period during which the claimant's business is
17 certified under s. ^{238.23(3) or} 560.96 (3) ^{2009 statute}.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

18 **SECTION 358.** 71.47 (3g) (f) 1. of the statutes is amended to read:

19 71.47 (3g) (f) 1. A copy of a verification from the department of commerce that
20 the claimant's business is certified under s. ^{238.23(3) or} 560.96 (3) and that the business and the
21 department of commerce have entered into an agreement under s. ^{238.23(3)(d) or} 560.96 (3) (d):

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

238.23(3)(d) or

SECTION 359

238.18 ✓

1 SECTION 359. 71.47 (3p) (b) of the statutes is amended to read:

2 71.47 (3p) (b) *Filing claims.* Subject to the limitations provided in this
3 subsection and s. 560.207, ^{2009 statute} except as provided in par. (c) 5., for taxable years
4 beginning after December 31, 2006, and before January 1, 2015, a claimant may
5 claim as a credit against the taxes imposed under s. 71.43, up to the amount of the
6 tax, an amount equal to 10 percent of the amount the claimant paid in the taxable
7 year for dairy manufacturing modernization or expansion related to the claimant's
8 dairy manufacturing operation.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

9 SECTION 360. 71.47 (3p) (c) 2m. a. of the statutes is amended to read:

10 71.47 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed
11 under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2007-08 is
12 \$600,000, as allocated under s. 560.207, ^{2009 statute}

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

13 SECTION 361. 71.47 (3p) (c) 2m. b. of the statutes is amended to read:

14 71.47 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed
15 by all claimants, other than members of dairy cooperatives, under this subsection
16 and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2008-09, and in each fiscal year
17 thereafter, is \$700,000, as allocated under s. 560.207, ^{238.18 ✓} ^{2009 statute}

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

18 SECTION 362. 71.47 (3p) (c) 2m. bm. of the statutes is amended to read: ^{2009 statute}

19 71.47 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed
20 by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.28
21 (3p) in fiscal year 2009-10 is \$600,000, as allocated under s. 560.207, ^{238.18 ✓} and the
22 maximum amount of the credits that may be claimed by members of dairy

238.18a

1 cooperatives under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year
2 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s.
3 560.207, 2009 state

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

4 SECTION 363. 71.47 (3p) (c) 6. of the statutes is amended to read:

5 71.47 (3p) (c) 6. No credit may be allowed under this subsection unless the
6 claimant submits with the claimant's return a copy of the claimant's credit
7 certification and allocation under s. 560.207, 2009 state

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

8 SECTION 364. 71.47 (3q) (a) 1. of the statutes is amended to read:

9 71.47 (3q) (a) 1. "Claimant" means a person certified to receive tax benefits
10 under s. 560.2055, 238.16 (2), 2009 state

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

11 SECTION 365. 71.47 (3q) (a) 2. of the statutes is amended to read:

12 71.47 (3q) (a) 2. "Eligible employee" means an eligible employee under s.
13 560.2055, 238.16 (1) (b) who satisfies the wage requirements under s. 560.2055
14 238.16 (3) (a) or (b), 2009 state

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

15 SECTION 366. 71.47 (3q) (b) (intro.) of the statutes is amended to read:

16 71.47 (3q) (b) Filing claims. (intro.) Subject to the limitations provided in this
17 subsection and s. 560.2055, 238.16, for taxable years beginning after December 31,
18 2009, a claimant may claim as a credit against the taxes imposed under s. 71.43 any
19 of the following:

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

20 SECTION 367. 71.47 (3q) (b) 1. of the statutes is amended to read:

238.16 a-

1 71.47 (3q) (b) 1. The amount of wages that the claimant paid to an eligible
2 employee in the taxable year, not to exceed 10 percent of such wages, as determined
3 ~~by the department of commerce~~ Wisconsin Economic Development Corporation
4 under s. ~~560.2055~~ 238.16, 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

5 SECTION 368. 71.47 (3q) (b) 2. of the statutes is amended to read:

6 71.47 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable
7 year, as determined under s. ~~560.2055~~ 238.16, 2009 statute to undertake the training activities
8 described under s. ~~560.2055~~ 238.16 (3) (c), 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

9 SECTION 369. 71.47 (3q) (c) 2. of the statutes is amended to read:

10 71.47 (3q) (c) 2. No credit may be allowed under this subsection unless the
11 claimant includes with the claimant's return a copy of the claimant's certification for
12 238.16(2) a tax benefits under s. ~~560.2055~~ 238.16 (2), 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

13 SECTION 370. 71.47 (3q) (c) 3. of the statutes is amended to read:

14 71.47 (3q) (c) 3. The maximum amount of credits that may be awarded under
15 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January
16 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
17 238.15(3)(d) a any credits reallocated under s. ~~560.205~~ 238.15 (3) (d), 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

18 SECTION 371. 71.47 (3r) (b) of the statutes is amended to read:

19 71.47 (3r) (b) *Filing claims.* Subject to the limitations provided in this
20 subsection and s. ~~560.208~~ 2009 statute, for taxable years beginning after December 31, 2008, and
21 before January 1, 2017, a claimant may claim as a credit against the taxes imposed

238.19 a

1 under s. 71.43, up to the amount of the tax, an amount equal to 10 percent of the
2 amount the claimant paid in the taxable year for meat processing modernization or
3 expansion related to the claimant's meat processing operation.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

4 **SECTION 372.** 71.47 (3r) (c) 3. a. of the statutes is amended to read:

5 71.47 (3r) (c) 3. a. The maximum amount of the credits that may be allocated
6 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2009-10 is
7 \$300,000, as allocated under s. 560.208, ^{2009 state}

8 **SECTION 373.** 71.47 (3r) (c) 3. b. of the statutes is amended to read:

9 71.47 (3r) (c) 3. b. The maximum amount of the credits that may be allocated
10 under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2010-11, and in
11 each fiscal year thereafter, is \$700,000, as allocated under s. 560.208, ^{238.19 a} ^{2009 state}

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

12 **SECTION 374.** 71.47 (3r) (c) 6. of the statutes is amended to read:

13 71.47 (3r) (c) 6. No credit may be allowed under this subsection unless the
14 claimant submits with the claimant's return a copy of the claimant's credit
15 certification and allocation under s. 560.208, ^{238.19 a} ^{2009 state}

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

16 **SECTION 375.** 71.47 (3rm) (b) of the statutes is amended to read:

17 71.47 (3rm) (b) *Filing claims.* Subject to the limitations provided in this
18 subsection and s. 560.209 ^{238.21} ^{2009 state} for taxable years beginning after December 31,
19 2009, and before January 1, 2016, a claimant may claim as a credit against the taxes
20 imposed under s. 71.43, up to the amount of the tax, an amount equal to 10 percent
21 of the amount the claimant paid in the taxable year for equipment that is used

238.21 a

1 primarily to harvest or process woody biomass that is used as fuel or as a component
2 of fuel.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

3 SECTION 376. 71.47 (3rm) (c) 3. of the statutes is amended to read:

4 71.47 (3rm) (c) 3. The maximum amount of the credits that may be claimed
5 under this subsection and ss. 71.07 (3rm) and 71.28 (3rm) is \$900,000, as allocated

6 under s. ~~560.209~~ 238.21. *2009 state*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

7 SECTION 377. 71.47 (3rn) (b) of the statutes is amended to read:

8 71.47 (3rn) (b) *Filing claims*. Subject to the limitations provided in this

9 subsection and s. ~~506.2056~~ 238.17 [s. 560.2056], for taxable years beginning after

10 December 31, 2009, and before January 1, 2017, a claimant may claim as a credit
11 against the tax imposed under s. 71.43, up to the amount of the tax, an amount equal
12 to 10 percent of the amount the claimant paid in the taxable year for food processing
13 or food warehousing modernization or expansion related to the operation of the
14 claimant's food processing plant or food warehouse.

NOTE: NOTE: The correct cross-reference is shown in brackets. Corrective legislation is pending.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

15 SECTION 378. 71.47 (3rn) (c) 3. a. of the statutes is amended to read:

16 71.47 (3rn) (c) 3. a. The maximum amount of the credits that may be allocated
17 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2009-10 is

18 \$1,000,000, as allocated under s. ~~560.2056~~ 238.17. *2009 state*

19 SECTION 379. 71.47 (3rn) (c) 3. b. of the statutes is amended to read:

20 71.47 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated
21 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2010-11 is

22 \$1,200,000, as allocated under s. ~~560.2056~~ 238.17. *2009 state*

5, 233, 170

1 **SECTION 380.** 71.47 (3rn) (c) 3. c. of the statutes is amended to read:
2 71.47 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated
3 under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2011-12, and
4 in each year thereafter, is \$700,000, as allocated under s. ~~560.2056~~ 238.17 *2009 stats*

NOTE: NOTE: The cross-references to ss. 71.07 (3rn) and 71.28 (3rn) were changed from ss. 71.07 (3rm) and 71.28 (3rm) by the legislative reference bureau under s. 13.92 (1) (bm) 2. to reflect the renumbering under s. 13.92 (1) (bm) 2. of ss. 71.07 (3rm) and 71.28 (3rm), as created by 2009 Wis. Act 295. NOTE:

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

5 **SECTION 381.** 71.47 (3rn) (c) 6. of the statutes is amended to read:
6 71.47 (3rn) (c) 6. No credit may be allowed under this subsection unless the
7 claimant submits with the claimant's return a copy of the claimant's credit
8 certification and allocation under s. ~~560.2056~~ 238.17 *2009 stats*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

9 **SECTION 382.** 71.47 (3t) (b) of the statutes is amended to read:
10 71.47 (3t) (b) *Credit*. Subject to the limitations provided in this subsection and
11 in s. ~~560.28~~, for taxable years beginning after December 31, 2007, a claimant may
12 claim as a credit, amortized over 15 taxable years starting with the taxable year
13 beginning after December 31, 2007, against the tax imposed under s. 71.43, up to the
14 amount of the tax, an amount equal to the claimant's unused credits under s. 71.47
15 (3).

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

16 **SECTION 383.** 71.47 (3t) (c) 1. of the statutes is amended to read:
17 71.47 (3t) (c) 1. No credit may be claimed under this subsection unless the
18 claimant submits with the claimant's return a copy of the claimant's certification by
19 the department of commerce under s. ~~560.28~~, except that, with regard to credits
20 claimed by partners of a partnership, members of a limited liability company, or
21 shareholders of a tax-option corporation, the entity shall provide a copy of its

s. 238,399 (5) or

2009 statute

1 certification under s. 560.28 to the partner, member, or shareholder to submit with
2 his or her return.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

3 **SECTION 384.** 71.47 (3w) (a) 2. of the statutes is amended to read:

4 71.47 (3w) (a) 2. "Claimant" means a person who is certified to claim tax

5 benefits under *s. 560.799 (5)* and *who files a claim under this subsection.*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

6 **SECTION 385.** 71.47 (3w) (a) 3. of the statutes is amended to read:

7 71.47 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined

8 in *s. 560.799 (1) (am)*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

9 **SECTION 386.** 71.47 (3w) (a) 4. of the statutes is amended to read:

10 71.47 (3w) (a) 4. "Enterprise zone" means a zone designated under *s. 560.799*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

11 **SECTION 387.** 71.47 (3w) (a) 5d. of the statutes is amended to read:

12 71.47 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or

13 municipality, as determined ~~by the department of commerce~~ under *s. 560.799*.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

14 **SECTION 388.** 71.47 (3w) (a) 5e. of the statutes is amended to read:

15 71.47 (3w) (a) 5e. "Tier II county or municipality" means a tier II county or

16 municipality, as determined ~~by the department of commerce~~ under *s. 560.799*.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

17 **SECTION 389.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

238,399

1 71.47 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations
2 provided in this subsection and ~~s. 560.799~~, a claimant may claim as a credit against
3 the tax imposed under s. 71.43 an amount calculated as follows:

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

4 SECTION 390. 71.47 (3w) (b) 5. of the statutes is amended to read:

5 71.47 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
6 percentage determined by ~~the department of commerce~~ under ~~s. 560.799~~, not to
7 exceed 7 percent. s. 238,399 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

8 SECTION 391. 71.47 (3w) (bm) 1. of the statutes is amended to read:

9 71.47 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
10 4., and subject to the limitations provided in this subsection and ~~s. 560.799~~, a
11 claimant may claim as a credit against the tax imposed under s. 71.43 an amount
12 equal to a percentage, as determined by ~~the department of commerce~~, not to exceed
13 100 percent, of the amount the claimant paid in the taxable year to upgrade or
14 improve the job-related skills of any of the claimant's full-time employees, to train
15 any of the claimant's full-time employees on the use of job-related new technologies,
16 or to provide job-related training to any full-time employee whose employment with
17 the claimant represents the employee's first full-time job. This subdivision does not
18 apply to employees who do not work in an enterprise zone. under s. 238,399
s. 560.799, 2009 statute

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

19 SECTION 392. 71.47 (3w) (bm) 2. of the statutes is amended to read:

20 71.47 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
21 4., and subject to the limitations provided in this subsection and ~~s. 560.799~~, a
22 claimant may claim as a credit against the tax imposed under s. 71.43 an amount

s. 238,399

SECTION 392

2009 statute

s. 238.399 a

1 equal to the percentage, as determined by the department of commerce under s.
 2 560.799, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable
 3 year to all of the claimant's full-time employees whose annual wages are greater
 4 than \$20,000 in a tier I county or municipality, not including the wages paid to the
 5 employees determined under par. (b) 1., or greater than \$30,000 in a tier II county
 6 or municipality, not including the wages paid to the employees determined under
 7 par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year,
 8 if the total number of such employees is equal to or greater than the total number
 9 of such employees in the base year. A claimant may claim a credit under this
 10 subdivision for no more than 5 consecutive taxable years.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

11 SECTION 393. 71.47 (3w) (bm) 3. of the statutes is amended to read: *s. 238.399 a*

12 71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and
 13 4., and subject to the limitations provided in this subsection and s. 560.799, for
 14 taxable years beginning after December 31, 2008, a claimant may claim as a credit
 15 against the tax imposed under s. 71.43 up to 10 percent of the claimant's significant
 16 capital expenditures, as determined by the department of commerce under s.

2009 statute

17 560.799 (5m). *2009 statute* *s. 238.399 (5m) a*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

18 SECTION 394. 71.47 (3w) (bm) 4. of the statutes is amended to read: *2009 statute*

19 71.47 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and
 20 3., and subject to the limitations provided in this subsection and s. 560.799, for
 21 taxable years beginning after December 31, 2009, a claimant may claim as a credit
 22 against the tax imposed under s. 71.43, up to 1 percent of the amount that the
 23 claimant paid in the taxable year to purchase tangible personal property, items,

s. 238.399 a

s. 238.399(5)(e) or

1 property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors,
2 as determined by the department of commerce under s. 560.799 (5) (e), except that
3 the claimant may not claim the credit under this subdivision and subd. 3. for the
4 same expenditures.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

5 **SECTION 395.** 71.47 (3w) (c) 3. of the statutes is amended to read:

6 71.47 (3w) (c) 3. No credit may be allowed under this subsection unless the
7 claimant includes with the claimant's return a copy of the claimant's certification for
8 tax benefits under s. 560.799 (5) or (5m).

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

9 **SECTION 396.** 71.47 (4) (am) of the statutes is amended to read:

10 71.47 (4) (am) *Development zone additional research credit.* In addition to the
11 credit under par. (ad), any corporation may credit against taxes otherwise due under
12 this chapter an amount equal to 5 percent of the amount obtained by subtracting
13 from the corporation's qualified research expenses, as defined in section 41 of the
14 Internal Revenue Code, except that "qualified research expenses" include only
15 expenses incurred by the claimant in a development zone under subch. VI of ch. 560,
16 except that a taxpayer may elect the alternative computation under section 41 (c) (4)
17 of the Internal Revenue Code and that election applies until the department permits
18 its revocation and except that "qualified research expenses" do not include
19 compensation used in computing the credit under sub. (1dj) nor research expenses
20 incurred before the claimant is certified for tax benefits under s. 560.765 (3), the
21 corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code,
22 in a development zone, except that gross receipts used in calculating the base amount
23 means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and

s. 238.365(3) or

SECTION 396

s. 238, 365(3) a

1 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in
 2 calculating the base amount include research expenses incurred before the claimant
 3 is certified for tax benefits under s. 560.765 (3) *2009 statute* in a development zone, if the claimant
 4 submits with the claimant's return a copy of the claimant's certification for tax
 5 benefits under s. 560.765 (3) *2009 statute* and a statement from the department of commerce
 6 verifying the claimant's qualified research expenses for research conducted
 7 exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit
 8 under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit
 9 under that subsection apply to claims under this paragraph. Section 41 (h) of the
 10 Internal Revenue Code does not apply to the credit under this paragraph. No credit
 11 may be claimed under this paragraph for taxable years that begin on January 1,
 12 1998, or thereafter. Credits under this paragraph for taxable years that begin before
 13 January 1, 1998, may be carried forward to taxable years that begin on January 1,
 14 1998, or thereafter.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

15 SECTION 397. 71.47 (5b) (a) 2. of the statutes is amended to read:

16 *s. 238, 15(2) a*
 17 71.47 (5b) (a) 2. "Fund manager" means an investment fund manager certified
 under s. ~~560.205~~ 238.15 (2) *2009 statute*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

18 SECTION 398. 71.47 (5b) (b) 1. of the statutes is amended to read:

19 71.47 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
 20 to the limitations provided under this subsection and s. ~~560.205~~ 238.15, and except
 21 as provided in subd. 2., a claimant may claim as a credit against the tax imposed
 22 under s. 71.43, up to the amount of those taxes, 25 percent of the claimant's

2009 statute

s. 238.15(1) a

1 investment paid to a fund manager that the fund manager invests in a business

2 certified under *s. 560.205* ~~238.15~~ (1) *, 2009 statute*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

3 SECTION 399. 71.47 (5i) (c) 1. of the statutes is amended to read:

4 *s. 238.14 a* 71.47 (5i) (c) 1. The maximum amount of the credits that may be claimed under

5 this subsection and ss. 71.07 (5i) and 71.28 (5i) in a taxable year is \$10,000,000, as

6 allocated under *s. 560.204* ~~238.14~~ *, 2009 statute*

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; s. 13.92 (1) (bm) 2.

7 SECTION 400. 71.78 (4) (m) of the statutes is amended to read: *repealed.*

8 71.78 (4) (m) The secretary of commerce and employees of that department to

9 the extent necessary to administer the development zone program under subch. VI

10 of ch. 560. *s. 238.368, 238.395(2)(2), 238.397(5)(2)*

History: 1987 a. 312; 1987 a. 411 ss. 99, 100, 188; 1991 a. 269, 301; 1993 a. 112, 399; 1995 a. 27 ss. 3420x to 3423g, 9116 (5); 1995 a. 233, 404; 1997 a. 27, 63, 237, 323; 1999 a. 32, 89; 2005 a. 25; 2007 a. 20.

11 SECTION 401. 73.03 (35) of the statutes is amended to read:

12 *s. 238.350* 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),

13 (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),

14 (1ds), (1dx), or (4) (am), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or

15 (4) (am), or 76.636 if granting the full amount claimed would violate a requirement

16 under *s. 560.785* or would bring the total of the credits granted to that claimant under

17 all of those subsections over the limit for that claimant under *s. 560.768*, *560.795* (2)

18 (b), or *560.797* (5) (b). *, 2009 statute*

History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252; 1999 a. 9, 31, 185; 2001 a. 16, 44, 104, 107, 109; 2003 a. 33, 127; 2005 a. 25, 259; 2007 a. 20, 86; 2009 a. 2, 28, 180, 401.

19 SECTION 402. 73.03 (35m) of the statutes is amended to read:

20 73.03 (35m) To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),

21 or 71.47 (3g), if granting the full amount claimed would violate a requirement under

2009 statute

1 s. 560.96 or would bring the total of the credits claimed under ss. 71.07 (3g), 71.28

2 (3g), and 71.47 (3g) over the limit for all claimants under s. 560.96 (2) *2009 statute*

s. 238.15(3)(d) or s.
History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252; 1999 a. 9, 31, 185; 2001 a. 16, 44, 104, 107, 109; 2003 a. 33, 127; 2005 a. 25, 259; 2007 a. 20, 86; 2009 a. 2, 28, 180, 401.

3 **SECTION 403.** 73.03 (63) of the statutes is amended to read:

4 **73.03 (63)** Notwithstanding the amount limitations specified under ss. 71.07

5 (5d) (c) 1. and ~~560.205~~ *238.15* (3) (d), *2009 statute* in consultation with the ~~department of~~ *revenue*

6 ~~commerce~~ *revenue* Wisconsin Economic Development Corporation, to carry forward to

7 *revenue* subsequent taxable years unclaimed credit amounts of the early stage seed

8 investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 and the

9 angel investment credit under s. 71.07 (5d). Annually, no later than July 1, the

10 ~~department of commerce~~ *revenue* Wisconsin Economic Development Corporation shall

11 submit to the department of *revenue* its recommendations for the carry forward of

12 credit amounts as provided under this subsection.

History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252; 1999 a. 9, 31, 185; 2001 a. 16, 44, 104, 107, 109; 2003 a. 33, 127; 2005 a. 25, 259; 2007 a. 20, 86; 2009 a. 2, 28, 180, 401.

13 **SECTION 404.** 73.0301 (1) (e) of the statutes is amended to read:

14 **73.0301 (1) (e)** "Licensing department" means the department of

15 administration; the board of commissioners of public lands; the ~~department of~~

16 ~~commerce~~; the department of children and families; the government accountability

17 board; the department of financial institutions; the department of health services;

18 the department of natural resources; the department of public instruction; the

19 department of regulation and licensing; the department of workforce development;

20 the office of the commissioner of insurance; or the department of transportation.

History: 1997 a. 237 ss. 301, 307, 532; 1999 a. 9, 31, 32, 186; 2001 a. 56; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 2155 to 2158, 9121 (6) (a); 2007 a. 130, 196; 2009 a. 2, 3, 185, 344, 405.

21 **SECTION 405.** 75.106 (1) (a) of the statutes is amended to read:

1 75.106 (1) (a) "Brownfield" has the meaning given in s. ~~560.13~~ 238.13 (1) (a),
2 except that, for purposes of this section, "brownfield" also means abandoned, idle, or
3 underused residential facilities or sites, the expansion or redevelopment of which is
4 adversely affected by actual or perceived environmental contamination.

History: 1999 a. 121; 2005 a. 93.

5 **SECTION 406.** 76.635 (1) (a) of the statutes is amended to read:

6 76.635 (1) (a) "Certified capital company" has the meaning given in s. 560.29
7 (1) (a), 2009 stats.

History: 1997 a. 215; 1999 a. 30; 2005 a. 259; 2007 a. 20.

8 **SECTION 407.** 76.635 (1) (b) of the statutes is amended to read:

9 76.635 (1) (b) "Certified capital investment" has the meaning given in s. 560.29
10 (1) (b), 2009 stats.

History: 1997 a. 215; 1999 a. 30; 2005 a. 259; 2007 a. 20.

11 **SECTION 408.** 76.635 (1) (c) of the statutes is amended to read:

12 76.635 (1) (c) "Investment date" has the meaning given in s. 560.29 (1) (d), 2009
13 stats.

History: 1997 a. 215; 1999 a. 30; 2005 a. 259; 2007 a. 20.

14 **SECTION 409.** 76.635 (1) (d) of the statutes is amended to read:

15 76.635 (1) (d) "Investment pool" has the meaning given in s. 560.29 (1) (e), 2009
16 stats.

History: 1997 a. 215; 1999 a. 30; 2005 a. 259; 2007 a. 20.

17 **SECTION 410.** 76.635 (1) (e) of the statutes is amended to read:

18 76.635 (1) (e) "Qualified investment" has the meaning given in s. 560.29 (1) (g),
19 2009 stats.

History: 1997 a. 215; 1999 a. 30; 2005 a. 259; 2007 a. 20.

20 **SECTION 411.** 76.636 (1) (b) 1. of the statutes is amended to read:

21 76.636 (1) (b) 1. A development zone under s. 560.70,

MSB
s. 238.30 c

2009 stats

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

22 **SECTION 412.** 76.636 (1) (b) 2. of the statutes is amended to read:

s. 238.395 a

2009 statute

1

76.636 (1) (b) 2. A development opportunity zone under s. 560.795

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

2

SECTION 413. 76.636 (1) (b) 3. of the statutes is amended to read:

3

76.636 (1) (b) 3. An enterprise development zone under s. 560.797.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

4

SECTION 414. 76.636 (1) (b) 4. of the statutes is amended to read:

5

76.636 (1) (b) 4. An agricultural development zone under s. 560.798

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

6

SECTION 415. 76.636 (2) (intro.) of the statutes is amended to read:

7

76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to

8

s. 560.785, ^{2009 statute} for any taxable year for which an insurer is entitled under s. 560.795 (3), ^{s. 238.395 a}

9

to claim tax benefits or certified under s. 560.765 (3), ^{2009 statute} 560.797 (4) or ^{2009 statute} 560.798 (3), ^{s.} the

10

insurer may claim as a credit against the fees due under s. 76.60, ^{2009 statute} 76.63, ^{2009 statute} 76.65, ^{s.} 76.66, ^{2009 statute}

11

or 76.67 the following amounts:

s. 238.365(1), 238.397(4), 238.398(2)

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

12

SECTION 416. 76.636 (2) (b) of the statutes is amended to read:

13

76.636 (2) (b) The amount determined by multiplying the amount determined

14

under s. 560.785 (1) (b) ^{2009 statute} by the number of full-time jobs created in a development zone

15

and filled by a member of a targeted group and by then subtracting the subsidies paid

16

under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m)

17

(c) for those jobs.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

18

SECTION 417. 76.636 (2) (c) of the statutes is amended to read:

19

76.636 (2) (c) The amount determined by multiplying the amount determined

20

under s. 560.785 (1) (c) ^{2009 statute} by the number of full-time jobs created in a development zone

21

and not filled by a member of a targeted group and by then subtracting the subsidies

s. 238.385 (1) (c) a

s. 238.385(1)(bm) or

1 paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147
2 (3m) (c) for those jobs.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

3 **SECTION 418.** 76.636 (2) (d) of the statutes is amended to read:

4 76.636 (2) (d) The amount determined by multiplying the amount determined
5 under s. 560.785 (1) (bm) ^{2009 statute} by the number of full-time jobs retained, as provided in the
6 rules under s. 560.785, ^{2009 statute} excluding jobs for which a credit has been claimed under s.
7 ^{s. 238.385 or} 71.47 (1dj), ^{2009 statute} in an enterprise development zone under ^{s. 238.397 or} s. 560.797 ^{2009 statute} and for which
8 significant capital investment was made and by then subtracting the subsidies paid
9 under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m)
10 (c) for those jobs. s. 238.385(1)(c) or

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

11 **SECTION 419.** 76.636 (2) (e) of the statutes is amended to read:

12 76.636 (2) (e) The amount determined by multiplying the amount determined
13 under s. 560.785 (1) (c) ^{2009 statute} by the number of full-time jobs retained, as provided in the
14 rules under s. 560.785, ^{2009 statute} excluding jobs for which a credit has been claimed under s.
15 71.47 (1dj), in a development zone and not filled by a member of a targeted group and
16 by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
17 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

18 **SECTION 420.** 76.636 (4) (intro.) of the statutes is amended to read:

19 76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax
20 benefits under s. 560.765 (3), ^{s.} 560.797 (4), or ^{s.} 560.798 (3) is revoked, or if the person
21 becomes ineligible for tax benefits under ^{2009 statute} s. 560.795 (3), ^{2009 statute} that person may not do any
22 of the following: s. 238.395(3) or 2009 statute

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

23 **SECTION 421.** 76.636 (5) of the statutes is amended to read:

s. 238.365(3), 238.397(4), 238.398(3),

SECTION 421

s. 238.395(3) a

2009 statute

1 76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 560.795
 2 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), or 560.798 (3)
 3 for tax benefits ceases business operations in the development zone during any of the
 4 taxable years that that zone exists, that person may not carry over to any taxable
 5 year following the year during which operations cease any unused credits from the
 6 taxable year during which operations cease or from previous taxable years.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

7 SECTION 422. 76.636 (6) of the statutes is amended to read:

8 76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall
 9 include with the insurer's annual return under s. 76.64 a copy of its certification for
 10 tax benefits and a copy of its verification of expenses from the ~~department of~~
 11 ~~commerce~~ Wisconsin Economic Development Corporation.

History: 2005 a. 259; 2007 a. 20, 97; 2009 a. 180.

12 SECTION 423. 76.637 (1) of the statutes is amended to read:

13 76.637 (1) DEFINITION. In this section, "claimant" means an insurer who files
 14 a claim under this section and is certified under s. 560.701 (2) and authorized to claim
 15 tax benefits under s. 560.703.

History: 2009 a. 2.

16 SECTION 424. 76.637 (2) of the statutes is amended to read:

17 *2009 statute* 76.637 (2) FILING CLAIMS. Subject to the limitations under this section and ss.
 18 560.701 to 560.706, for taxable years beginning after December 31, 2008, a claimant
 19 may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67
 20 the amount authorized for the claimant under s. 560.703.

History: 2009 a. 2.

21 SECTION 425. 76.637 (3) of the statutes is amended to read:

22 76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the
 23 insurer includes with the insurer's annual return under s. 76.64 a copy of the

s. 238.301(2) a

2009 statute

1 claimant's certification under s. 560.701 (2) and a copy of the claimant's notice of
2 eligibility to receive tax benefits under s. 560.703 (3)

s. 238.303(3) a

2009 statute

History: 2009 a. 2.

3 SECTION 426. 76.637 (4) of the statutes is amended to read: s. 238.305 a

2009 statute

4 76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under
5 560.705, or if an insurer becomes ineligible for tax benefits under s. 560.702, the
6 insurer may not claim credits under this section for the taxable year that includes
7 the day on which the certification is revoked; the taxable year that includes the day
8 on which the insurer becomes ineligible for tax benefits; or succeeding taxable years
9 and the insurer may not carry over unused credits from previous years to offset the
10 fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67 for the taxable year that
11 includes the day on which certification is revoked; the taxable year that includes the
12 day on which the insurer becomes ineligible for tax benefits; or succeeding taxable
13 years.

s. 238.302 a

2009 statute

History: 2009 a. 2.

14 SECTION 427. 76.638 (1) of the statutes is amended to read:

s. 238.15(2) a

15 76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment
16 fund manager certified under s. ~~560.205~~ 238.15 (2)

2009 statute

History: 2009 a. 2.

17 SECTION 428. 76.638 (2) of the statutes is amended to read:

s. 238.15 a

18 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
19 subject to the limitations provided under this subsection and s. ~~560.205~~ 238.15, an
20 insurer may claim as a credit against the fees imposed under s. 76.60, 76.63, 76.65,
21 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund manager that
22 the fund manager invests in a business certified under s. ~~560.205~~ 238.15 (1)

retros

s. 238.305 a

retros

History: 2009 a. 2.

23 SECTION 429. 79.04 (7) (a) of the statutes is amended to read:

2009 statute

2009 statute

s. 238.13 (1)(a) a

1 79.04 (7) (a) Beginning with payments in 2005, if a production plant, as
 2 described in sub. (6) (a), other than a nuclear-powered production plant, is built on
 3 the site of, or on a site adjacent to, an existing or decommissioned production plant;
 4 or is built on a site purchased by a public utility before January 1, 1980, that was
 5 identified in an advance plan as a proposed site for a production plant; or is built on,
 6 or on a site adjacent to, brownfields, as defined in *s. 560.13* *238.13* (1) (a), *after*
 7 December 31, 2003, and has a name-plate capacity of at least one megawatt, each
 8 municipality and county in which such a production plant is located shall receive
 9 annually from the public utility account a payment in an amount that is equal to the
 10 number of megawatts that represents the production plant's name-plate capacity,
 11 multiplied by \$600.

2009 statute

History: 1971 c. 125, 215; 1973 c. 90 ss. 387, 391g; 1973 c. 243 s. 82; 1975 c. 39, 224; 1977 c. 29, 418; 1979 c. 34; 1983 a. 27; 1985 a. 29, 39; 1987 a. 27; 1989 a. 31; 1993 a. 16, 307; 1995 a. 27; 1999 a. 150 s. 672; 2001 a. 16; 2001 a. 30 s. 108; 2003 a. 31, 33, 89, 320; 2005 a. 253, 254; 2007 a. 19, 20, 226; 2009 a. 28.

12 **SECTION 430.** 84.013 (9) of the statutes is amended to read:

13 84.013 (9) If the department, ~~in consultation with the department of commerce,~~
 14 determines that a business development having a payroll exceeding \$10,000,000 in
 15 a calendar year is being located within a 3-mile radius of the intersection of I 90 and
 16 Town Line Road in Rock County, the department shall construct an interchange
 17 funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line
 18 Road.

History: 1983 a. 27; 1985 a. 29 ss. 1564 to 1566g, 3202 (51); 1987 a. 27 ss. 10cm, 1654un to 1654uws; 1987 a. 403; 1989 a. 31; 1991 a. 39; 1993 a. 16, 237, 246; 1995 a. 27 s. 9116 (5); 1995 a. 113; 1997 a. 27; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 276.

19 **SECTION 431.** 84.09 (5) (a) of the statutes is amended to read:

20 84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the
 21 department may sell at public or private sale property of whatever nature owned by
 22 the state and under the jurisdiction of the department when the department
 23 determines that the property is no longer necessary for the state's use for

1 transportation purposes and, if real property, the real property is not the subject of
2 a petition under s. 560.9810 (2). The department shall present to the governor a full
3 and complete report of the property to be sold, the reason for the sale, and the
4 minimum price for which the same should be sold, together with an application for
5 the governor's approval of the sale. The governor shall thereupon make such
6 investigation as he or she may deem necessary and approve or disapprove the
7 application. Upon such approval and receipt of the full purchase price, the
8 department shall by appropriate deed or other instrument transfer the property to
9 the purchaser. The approval of the governor is not required for public or private sale
10 of property having an appraised value at the time of sale of not more than \$15,000,
11 for the transfer of surplus state real property to the department of administration
12 under s. 560.9810, or for the transfer of surplus state personal property to the
13 department of tourism under sub. (5s). The funds derived from sales under this
14 subsection shall be deposited in the transportation fund, and the expense incurred
15 by the department in connection with the sale shall be paid from such fund.

History: 1971 c. 40; 1973 c. 118 s. 7; 1977 c. 29 ss. 936, 1654 (1), (8) (a), (b); 1977 c. 272, 418; 1979 c. 310; 1983 a. 27; 1991 a. 39; 1993 a. 246; 1995 a. 201, 406; 1997 a. 27, 35, 282; 1999 a. 83, 186; 2003 a. 33, 211, 327; 2005 a. 25, 392; 2007 a. 20.

16 **SECTION 432.** 84.09 (5) (b) of the statutes is amended to read:

17 84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and
18 form specified in par. (a), with respect to the sale of property acquired by the
19 department for a project that is completed after May 25, 2006, the department shall,
20 and with respect to the sale of property acquired by the department for a project that
21 is completed before May 25, 2006, the department may offer for sale or transfer
22 ownership of the property that the department determines is no longer necessary for
23 the state's use for transportation purposes, if the property is not the subject of a
24 petition under s. 560.9810 (2). This disposition process shall take place within 24

SECTION 432

1 months of the completion of the transportation project for which the property was
2 acquired. Except as provided in par. (c) 3., the department shall offer limited and
3 general marketable properties at appraised value, as determined by a state-certified
4 or licensed appraiser, for not less than 12 months. If the department does not sell
5 the property at or above its appraised value, the department shall offer the property
6 for sale by means of sealed bids or public auction. For the purposes of this paragraph,
7 a project is completed when final payment is made under the contract for the project.

History: 1971 c. 40; 1973 c. 118 s. 7; 1977 c. 29 ss. 936, 1654 (1), (8) (a), (b); 1977 c. 272, 418; 1979 c. 310; 1983 a. 27; 1991 a. 39; 1993 a. 246; 1995 a. 201, 406; 1997 a. 27, 35, 282; 1999 a. 83, 186; 2003 a. 33, 211, 327; 2005 a. 25, 392; 2007 a. 20.

8 **SECTION 433.** 84.09 (5r) of the statutes is amended to read:

9 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
10 the department may, subject to the approval of the governor, donate real property
11 that is adjacent to the veterans memorial site located at The Highground in Clark
12 County and owned by the state and under the jurisdiction of the department to the
13 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
14 memorial site located at The Highground in Clark County for the purpose of a
15 memorial hall specified in s. 70.11 (9). The department may donate property under
16 this subsection only when the department determines that the property is no longer
17 necessary for the state's use for transportation purposes ~~and is not the subject of a~~
18 ~~petition under s. 560.9810 (2)~~ and is transferred with a restriction that the donee may
19 not subsequently transfer the real property to any person except to this state, which
20 shall not be charged for any improvements thereon. Such restriction shall be
21 recorded in the office of the register of deeds in the county in which the property is
22 located. The department shall present to the governor a full and complete report of
23 the property to be donated, the reason for the donation, and the minimum price for
24 which the property could likely be sold under sub. (5), together with an application

1 for the governor's approval of the donation. The governor shall thereupon make such
2 investigation as he or she considers necessary and approve or disapprove the
3 application. Upon such approval, the department shall by appropriate deed or other
4 instrument transfer the property to the donee. The approval of the governor is not
5 required for donation of property having an appraised value at the time of donation
6 of not more than \$15,000. Any expense incurred by the department in connection
7 with the donation shall be paid from the transportation fund.

History: 1971 c. 40; 1973 c. 118 s. 7; 1977 c. 29 ss. 936, 1654 (1), (8) (a), (b); 1977 c. 272, 418; 1979 c. 310; 1983 a. 27; 1991 a. 39; 1993 a. 246; 1995 a. 201, 406; 1997 a. 27, 35, 282; 1999 a. 83, 186; 2003 a. 33, 211, 327; 2005 a. 25, 392; 2007 a. 20.

8 **SECTION 434.** 84.185 (1) (a) of the statutes is amended to read:

9 84.185 (1) (a) "~~Business~~" ~~has the meaning given in s. 560.60 (2)~~ [✓] means a
10 company located in this state, a company that has made a firm commitment to locate
11 a facility in this state, or a group of companies at least 80^{e percent}% of which are located in
12 this state.✓

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1997 a. 237; 2001 a. 109; 2005 a. 25; 2007 a. 20.

13 **SECTION 435.** 84.185 (1) (b) of the statutes is amended to read:

14 84.185 (1) (b) "~~Governing body~~" ~~has the meaning specified in s. 560.60 (6)~~ [✓]
15 means a county board, city council, village board, town board, regional planning
16 commission or transit commission under s. 59.58 (2) or 66.1021.✓

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1997 a. 237; 2001 a. 109; 2005 a. 25; 2007 a. 20.

17 **SECTION 436.** 84.185 (1) (ce) of the statutes is amended to read:

18 84.185 (1) (ce) "~~Job~~" ~~has the meaning specified in s. 560.17 (1) (bm)~~ [✓] means a
19 position providing full-time equivalent employment. "Job" does not include initial
20 training before an employment position begins.✓

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1997 a. 237; 2001 a. 109; 2005 a. 25; 2007 a. 20.

21 **SECTION 437.** 85.09 (4i) of the statutes is amended to read:

22 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
23 private sale rail property acquired under sub. (4) when the department determines

plain

1 that the rail property is not necessary for a public purpose ~~and, if real property, the~~
2 ~~real property is not the subject of a petition under s. 560.9810 (2).~~ Upon receipt of
3 the full purchase price, the department shall, by appropriate deed or other
4 instrument, transfer the rail property to the purchaser. The funds derived from sales
5 under this subsection shall be deposited in the transportation fund, and the expense
6 incurred by the department in connection with the sale shall be paid from the
7 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
8 property that is sold under s. 16.848.

History: 1977 c. 29, 418; 1979 c. 34 s. 1018; Stats. 1979 s. 85.09; 1981 c. 20; 1983 a. 27, 192; 1985 a. 29 ss. 1583 to 1586, 3200 (51); 1985 a. 332 s. 253; 1987 a. 5; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 3525, 9116 (5); 2003 a. 33; 2005 a. 179; 2007 a. 20.

9 **SECTION 438.** 85.09 (4m) of the statutes is amended to read:

10 **85.09 (4m) RELOCATION PLAN.** The department is exempt from s. 32.25 (1) if the
11 department determines that acquiring rail property under this section will not result
12 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a
13 statement of its determinations with the department of ~~commerce~~ safety and
14 professional services.

History: 1977 c. 29, 418; 1979 c. 34 s. 1018; Stats. 1979 s. 85.09; 1981 c. 20; 1983 a. 27, 192; 1985 a. 29 ss. 1583 to 1586, 3200 (51); 1985 a. 332 s. 253; 1987 a. 5; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 3525, 9116 (5); 2003 a. 33; 2005 a. 179; 2007 a. 20.

15 **SECTION 439.** 85.095 (2) (b) of the statutes is amended to read:

16 **85.095 (2) (b)** To establish criteria for evaluating applications for harbor
17 assistance grants in order to provide for the disbursement of grants. In establishing
18 these criteria, the department shall consult with the ~~department of commerce~~
19 Wisconsin Economic Development Corporation and shall give priority to applicants
20 based on the amount of tonnage and waterborne transportation handled in the
21 harbor.

History: 1979 c. 34, 221, 355; 1981 c. 314; 1983 a. 27; 1987 a. 27, 399; 1989 a. 31, 359; 1995 a. 27 s. 9116 (5); 1995 a. 130; 2003 a. 208.

22 **SECTION 440.** 93.07 (3) of the statutes is amended to read:

1 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
2 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
3 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
4 campaigns of education throughout the United States and in foreign markets. Such
5 campaigns shall include the distribution of educational and advertising material
6 concerning Wisconsin and its plant, animal, food, and dairy products. The
7 department shall coordinate efforts by the state to advertise and promote
8 agricultural products of this state, with the ~~department of commerce~~ Wisconsin
9 Economic Development Corporation where appropriate. The department shall
10 submit its request and plan for market development program expenditures for each
11 biennium with its biennial budget request. The plan shall include the identification
12 and priority of expenditures for each market development program activity.

History: 1971 c. 125; 1975 c. 189, 323, 394; 1979 c. 34, 129, 221, 361; 1981 c. 20, 291; 1981 c. 391 s. 210; 1983 a. 410; 1985 a. 29; 1987 a. 27, 186; 1987 a. 399 ss. 307p, 443yx; 1987 a. 403; 1989 a. 56; 1991 a. 39, 269, 309; 1993 a. 216; 1995 a. 27 ss. 3554 to 3556, 9116 (5), 9145 (1); 1995 a. 79, 450; 1997 a. 27, 192; 1999 a. 107; 2001 a. 56, 107, 109; 2005 a. 166; 2007 a. 125; 2009 a. 108, 401.

13 **SECTION 441.** 93.42 (1) (e) of the statutes is amended to read:

14 93.42 (1) (e) Cooperating with the ~~department of commerce~~ Wisconsin
15 Economic Development Corporation in promoting the state's products through the
16 state's foreign trade offices.

History: 1985 a. 58; 1995 a. 27 ss. 3566, 3566e, 9116 (5).

17 **SECTION 442.** 93.42 (3) of the statutes is repealed.

 ****NOTE: The above section repeals a requirement that Commerce and DATCP enter into a memorandum of understanding regarding international agribusiness marketing and development not later than February 1, 1996. Is this okay?

18 **SECTION 443.** 93.46 (1) (am) of the statutes is amended to read:

19 93.46 (1) (am) Jointly with the ~~department of commerce~~ Wisconsin Economic
20 Development Corporation, conduct research and develop long-range plans to
21 promote and establish deer farms.

History: 1989 a. 31; 1991 a. 39; 1993 a. 403, 414; 1995 a. 27 s. 9116 (5); 2005 a. 25; 2007 a. 125; 2009 a. 401.

22 **SECTION 444.** 93.80 of the statutes is amended to read:

1 **93.80 Arsenic in wood.** The department, jointly with the department of
2 ~~commerce~~ safety and professional services,[✓] shall review scientific evidence to
3 determine whether there is a substantial likelihood that wood treated with copper,
4 chromium, and arsenic is harmful to the environment or to human health.

History: 2001 a. 16.

5 **SECTION 445.** 101.143 (4) (cc) 2. b. of the statutes is amended to read:

6 101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or
7 redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state
8 financial assistance other than under this section, has been provided for that
9 expansion or redevelopment.

History: 1987 a. 399; 1989 a. 31, 254, 255; 1991 a. 39, 82, 269; 1993 a. 16, 301, 416, 491; 1995 a. 27 ss. 3665 to 3683m, 9116 (5); 1995 a. 227, 247, 378, 417; 1997 a. 27,
35, 237, 252, 283; 1999 a. 9, 185; 2001 a. 16, 109; 2003 a. 33; 2005 a. 75; 2007 a. 20, 145; 2009 a. 28, 240.

10 **SECTION 446.** 106.16 (3) of the statutes is amended to read:

11 106.16 (3) A state agency or an authority under ch. 231 or 234 shall notify the
12 ~~department of commerce~~ Wisconsin Economic Development Corporation[✓] if it makes
13 a loan or grant to a company.

History: 1985 a. 285, 332; 1987 a. 27, 399; 1991 a. 39; 1995 a. 27 ss. 3716 and 9116 (5); Stats. 1995 s. 106.16; 1999 a. 9.

14 **SECTION 447.** 109.07 (1m) (b) of the statutes is amended to read:

15 109.07 (1m) (b) The department shall promptly provide a copy of the notice
16 required under par. (a) ~~to the department of commerce and~~[✓] to the office of the
17 commissioner of insurance and shall cooperate ~~with the department of commerce in~~
18 ~~the performance of its responsibilities under s. 560.15~~[✓] and with the office of the
19 commissioner of insurance in the performance of its responsibilities under s. 601.41
20 (7).

History: 1975 c. 380; 1983 a. 84, 149; 1983 a. 192 s. 304; 1983 a. 538; 1987 a. 27; 1989 a. 44, 228; 1995 a. 27, ss. 3782 and 9116 (5); 1997 a. 51; 2009 a. 87.

21 **SECTION 448.** 114.31 (6) of the statutes is amended to read:

22 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
23 as is reasonably possible, offer the engineering or other technical service of the

1 department, to any municipality desiring them in connection with the construction,
2 maintenance or operation or proposed construction, maintenance or operation of an
3 airport. The secretary may assess reasonable costs for services including services
4 performed while acting as agent for a municipality. Such assessment shall include
5 properly allocated administrative costs. Municipalities are authorized to cooperate
6 with the secretary in the development of aeronautics and aeronautical facilities in
7 this state. The department of commerce [✓]Wisconsin Economic Development
8 Corporation and all other agencies are authorized and directed to make available
9 such facilities and services, and to cooperate as far as possible to promote the best
10 interests of aeronautics of the state.

History: 1971 c. 125; 1973 c. 243 s. 82; 1977 c. 29 ss. 1063, 1654 (5); 1977 c. 273; 1979 c. 361 s. 112; 1981 c. 390 s. 252; 1983 a. 27; 1985 a. 29; 1987 a. 399; 1993 a. 492; 1995 a. 27 s. 9116 (5); 1999 a. 9; 2005 a. 335.

11 **SECTION 449.** 114.33 (10) of the statutes is amended to read:

12 114.33 (10) Subject to the approval of the governor under this subsection, the
13 secretary may sell at public or private sale property of whatever nature owned by the
14 state and under the jurisdiction of the secretary when the secretary determines that
15 the property is no longer necessary for the state's use for airport purposes and, if real
16 property, ~~the real property is not the subject of a petition under s. 560.9810.~~ The
17 secretary shall present to the governor a full and complete report of the property to
18 be sold, the reason for the sale, and the minimum price for which the property should
19 be sold, together with an application for the governor's approval of the sale. The
20 governor shall investigate the proposed sale as he or she deems necessary and
21 approve or disapprove the application. Upon approval and receipt of the full
22 purchase price, the secretary shall by appropriate deed or other instrument transfer
23 the property to the purchaser. The funds derived from the sale shall be deposited in
24 the appropriate airport fund, and the expense incurred by the secretary in

1 connection with the sale shall be paid from that fund. This subsection does not apply
2 to real property that is sold under s. 16.848.

History: 1971 c. 192; 1973 c. 241; 1977 c. 29; 1979 c. 221; 1981 c. 20 s. 2202 (51) (d); 1987 a. 27; 1991 a. 39; 1997 a. 253, 282; 1999 a. 32; 2003 a. 33; 2005 a. 335; 2007 a. 20.

3 **SECTION 450.** 196.374 (2) (a) 2. e. of the statutes is amended to read:

4 196.374 (2) (a) 2. e. Components to implement energy efficiency or renewable
5 energy measures in facilities of manufacturing businesses in this state that are
6 consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy
7 efficiency or renewable energy measures in manufacturing facilities to enhance their
8 competitiveness, [✓] the retooling of existing facilities to manufacture products that
9 support the green economy, the expansion or establishment of domestic clean energy
10 manufacturing operations, and creating or retaining jobs for workers engaged in
11 such activities. [✓]

History: 1983 a. 27; 1999 a. 9; 2001 a. 30; 2005 a. 141; 2007 a. 17, 20; 2009 [✓] 180, 276, 332.

12 **SECTION 451.** 196.374 (2) (a) 4. of the statutes is repealed.

13 **SECTION 452.** 196.374 (3) (a) of the statutes is amended to read:

14 196.374 (3) (a) *In general.* The commission shall have oversight of programs
15 under sub. (2). The commission shall maximize coordination of program delivery,
16 including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c)
17 and (7), ordered programs, low-income weatherization programs under s. 16.957,
18 renewable resource programs under s. 196.378, and other energy efficiency or
19 renewable resource programs. The commission shall cooperate with the department
20 of natural resources to ensure coordination of energy efficiency and renewable
21 resource programs with air quality programs and to maximize and document the air
22 quality improvement benefits that can be realized from energy efficiency and
23 renewable resource programs. ~~The commission shall cooperate with the department~~

1 ~~of commerce to ensure coordination of energy efficiency and renewable resource~~
2 ~~programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

3 **History:** 1983 a. 27; 1999 a. 9; 2001 a. 30; 2005 a. 141; 2007 a. 17, 20; 2009 a. 180, 276, 332.

3 **SECTION 453.** 196.49 (4) of the statutes is amended to read:

4 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
5 for the construction of electric generating equipment and associated facilities unless
6 the commission determines that brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a),
7 are used to the extent practicable.

8 **History:** Sup. Ct. Order, 67 Wis. 2d 585, 775 (1975); 1977 c. 187; 1979 c. 110 s. 60 (9); 1983 a. 53; 1985 a. 60; 1993 a. 496; 1995 a. 227; 2003 a. 89; 2007 a. 227.

8 **SECTION 454.** 196.491 (2) (e) of the statutes is amended to read:

9 196.491 (2) (e) Any ~~state agency, as defined in s. 560.9810 (1), office,~~
10 commission, department, or independent agency in the executive branch of state
11 government, or any county, municipality, town, or person may submit written
12 comments to the commission on a strategic energy assessment within 90 days after
13 copies of the draft are issued under par. (b).

14 **History:** 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33, 89; 2005 a. 24, 29; 2007 a. 20 s. 9121 (6) (a); 2009 a. 40, 378, 379.

14 **SECTION 455.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

15 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
16 the facility that are contiguous or proximate, provided that at least one of the
17 proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a
18 former or existing large electric generating facility.

19 **History:** 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33, 89; 2005 a. 24, 29; 2007 a. 20 s. 9121 (6) (a); 2009 a. 40, 378, 379.

19 **SECTION 456.** 196.491 (3) (d) 8. of the statutes is amended to read:

20 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
21 in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

22 **History:** 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33, 89; 2005 a. 24, 29; 2007 a. 20 s. 9121 (6) (a); 2009 a. 40, 378, 379.

22 **SECTION 457.** 218.11 (2) (am) 3. of the statutes is amended to read:

SECTION 457

1 218.11 (2) (am) 3. The department of ~~commerce~~[✓] may not disclose any
2 information received under subd. 1. to any person except to the department of
3 children and families for purposes of administering s. 49.22 or to the department of
4 revenue for the sole purpose of requesting certifications under s. 73.0301.

History: 1971 c. 239; 1973 c. 116; Stats. 1973 s. 218.11; 1977 c. 29 ss. 1373, 1654 (7) (a), (e); 1981 c. 45; 1981 c. 347 s. 80 (2); 1983 a. 192; 1989 a. 31; 1991 a. 39, 269; 1993 a. 16; 1997 a. 191, 237; 1999 a. 9, 32, 185, 186; 2001 a. 38; 2007 a. 20.

****NOTE: After consulting the drafter for DOT, it appears the reference to
"department of commerce" above is an error, and should be corrected by deleting "of
commerce," leaving "department," which in that section means DOT. Do you agree?

5 **SECTION 458.** 227.115[✓] of the statutes is repealed.

6 **SECTION 459.** 227.116 (1)[✓] of the statutes is renumbered 227.116 (1r) and
7 amended to read:

8 227.116 (1r) Each proposed rule submitted to the legislative council under s.
9 227.15 that includes a requirement for a business to obtain a permit, ~~as defined in~~
10 ~~s. 560.41 (2)~~, shall specify the number of business days, calculated beginning on the
11 day a permit application is received, within which the agency will review and make
12 a determination on a permit application.

History: 1985 a. 182, 332; 1993 a. 52; 1995 a. 27; 1997 a. 27; 2005 a. 249.

13 **SECTION 460.** 227.116 (1g) of the statutes is created to read:

14 227.116 (1g) In this section,[✓] "permit" means any approval of an agency
15 required as a condition of operating a business in this state.[✓]

16 **SECTION 461.** 227.19 (3) (g)[✓] of the statutes is repealed.

17 **SECTION 462.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

18 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined
19 by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005
20 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)
21 (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.[✓]

History: 1971 c. 287; 1975 c. 221, 421; 1977 c. 418, 447; 1979 c. 361 ss. 112, 113; 1981 c. 349; 1983 a. 81 ss. 2, 11; 1983 a. 83 ss. 5, 20; 1985 a. 29 ss. 2116, 3202 (14); 1985 a. 334; 1987 a. 27, 359; 1987 a. 403 s. 256; 1989 a. 281; 1989 a. 335 s. 89; 1991 a. 37, 221; 1995 a. 27, 227; 1997 a. 27; 1999 a. 150 s. 672; 2001 a. 104; 2005 a. 75, 253, 418; 2007 a. 20; 2009 a. 2.

1 **SECTION 463.** 234.02 (1) of the statutes is amended to read:

2 234.02 (1) There is created a public body corporate and politic to be known as
3 the "Wisconsin Housing and Economic Development Authority." The members of the
4 authority shall be the ~~secretary of commerce~~ chairperson of the board of directors of
5 the Wisconsin Economic Development Corporation ✓ or his or her designee and the
6 secretary of administration or his or her designee, and 6 public members nominated
7 by the governor, and with the advice and consent of the senate appointed, for
8 staggered 4-year terms commencing on the dates their predecessors' terms expire.
9 In addition, one senator of each party and one representative to the assembly of each
10 party appointed as are the members of standing committees in their respective
11 houses shall serve as members of the authority. A member of the authority shall
12 receive no compensation for services but shall be reimbursed for necessary expenses,
13 including travel expenses, incurred in the discharge of duties. Subject to the bylaws
14 of the authority respecting resignations, each member shall hold office until a
15 successor has been appointed and has qualified. A certificate of appointment or
16 reappointment of any member shall be filed with the authority and the certificate
17 shall be conclusive evidence of the due and proper appointment.

History: 1971 c. 287; 1973 c. 12; 1975 c. 221, 224; 1977 c. 196 s. 131; 1977 c. 325, 418; 1979 c. 361 s. 112; 1981 c. 349, 355; 1983 a. 81 s. 11; 1983 a. 83 ss. 6, 20; 1987 a. 399; 1991 a. 39, 315; 1995 a. 27 s. 9116 (5); 2001 a. 104; 2007 a. 1.

18 **SECTION 464.** 234.032 (2) (intro.) of the statutes is amended to read:

19 234.032 (2) (intro.) The authority, in consultation with the ~~department of~~
20 ~~commerce~~ Wisconsin Economic Development Corporation, ✓ shall do all of the
21 following for each economic development program administered by the authority:

History: 2007 a. 125.

22 **SECTION 465.** 234.034 of the statutes is amended to read:

23 **234.034 Consistency with state housing strategy plan.** Subject to
24 agreements with bondholders or noteholders, the authority shall exercise its powers

1 and perform its duties related to housing consistent with the state housing strategy
2 plan under s. ~~560.9802~~ 238.24.

3 History: 1981 c. 349; 1983 a. 81, 83; 1985 a. 29 ss. 3202 (14); 1991 a. 39, 189; 2003 a. 33.

SECTION 466. 234.06 (1) of the statutes is amended to read:

4 234.06 (1) The authority may, as authorized in the state housing strategy plan
5 under s. ~~560.9802~~ 238.24, use the moneys held in the housing development fund to
6 make temporary loans to eligible sponsors, with or without interest, and with such
7 security for repayment, if any, as the authority determines reasonably necessary and
8 practicable, solely from the housing development fund, to defray development costs
9 for the construction of proposed housing projects for occupancy by persons and
10 families of low and moderate income. No temporary loan may be made unless the
11 authority may reasonably anticipate that satisfactory financing may be obtained by
12 the eligible sponsor for the permanent financing of the housing project.

13 History: 1971 c. 287; 1981 c. 349; 1985 a. 29 ss. 2118, 3202 (14); 1991 a. 39; 2003 a. 33.

SECTION 467. 234.06 (3) of the statutes is amended to read:

14 234.06 (3) The authority may, as authorized in the state housing strategy plan
15 under s. ~~560.9802~~ 238.24, use the moneys held in the housing development fund to
16 establish and administer programs of grants to counties, municipalities, and eligible
17 sponsors of housing projects for persons of low and moderate income, to pay
18 organizational expenses, administrative costs, social services, technical services,
19 training expenses, or costs incurred or expected to be incurred by counties,
20 municipalities, or sponsors for land and building acquisition, construction,
21 improvements, renewal, rehabilitation, relocation, or conservation under a plan to
22 provide housing or related facilities, if the costs are not reimbursable from other
23 private or public loan, grant, or mortgage sources.

24 History: 1971 c. 287; 1981 c. 349; 1985 a. 29 ss. 2118, 3202 (14); 1991 a. 39; 2003 a. 33.

SECTION 468. 234.08 (5) of the statutes is amended to read:

1 234.08 (5) This section does not supersede or impair the power of the
2 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out
3 its program responsibilities relating to economic development which are funded by
4 bonds or notes issued under this section.

5 History: 1971 c. 287; 1981 c. 349; 1983 a. 81, 83; 1985 a. 29; 1993 a. 16; 1995 a. 27 s. 9116 (5); 2005 a. 487; 2009 a. 2.

5 **SECTION 469.** 234.08 (6) of the statutes is amended to read:

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

10 History: 1971 c. 287; 1981 c. 349; 1983 a. 81, 83; 1985 a. 29; 1993 a. 16; 1995 a. 27 s. 9116 (5); 2005 a. 487; 2009 a. 2.

10 **SECTION 470.** 234.165 (2) (b) 2. of the statutes is amended to read:

11 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
12 governor a plan for expending or encumbering the actual surplus reported under
13 subd. 1. The part of the plan related to housing shall be consistent with the state
14 housing strategy plan under s. ~~560.9802~~ 238.24. The plan submitted under this
15 subdivision may be attached to and submitted as a part of the report filed under subd.
16 1.

17 History: 1981 c. 349; 1983 a. 83; 1985 a. 29 s. 3202 (14); 1989 a. 346; 1991 a. 39; 1993 a. 16; 2001 a. 109; 2003 a. 33; 2005 a. 25; 2007 a. 20.

17 **SECTION 471.** 234.25 (1) (e) of the statutes is amended to read:

18 234.25 (1) (e) An evaluation of its progress in implementing within its own
19 housing programs the goals, policies and objectives of the state housing strategy plan
20 under s. ~~560.9802~~ 238.24, and recommendations for legislation to improve its ability
21 to carry out its programs consistent with the state housing strategy plan.

22 History: 1971 c. 287; 1979 c. 221; 1981 c. 349; 1983 a. 36; 1985 a. 29 s. 3202 (14); 1991 a. 39; 1993 a. 52, 184; 2003 a. 33.

22 **SECTION 472.** 234.255 of the statutes is amended to read:

SECTION 472

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

History: 2007 a. 125.

10 **SECTION 473.** 234.65 (1) (a) of the statutes is amended to read:

11 234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin
12 Economic Development Corporation and subject to par. (f), the authority may issue
13 its negotiable bonds and notes to finance its economic development activities
14 authorized or required under this chapter, including financing economic
15 development loans.

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

16 **SECTION 474.** 234.65 (1) (f) of the statutes is amended to read:

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

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

23 **SECTION 475.** 234.65 (1m) of the statutes is amended to read:

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

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

5 **SECTION 476.** 234.65 (3) (a) of the statutes is amended to read:

6 234.65 (3) (a) The business that will receive the loan, at least 30 days prior to
7 signing of the loan contract, has given notice of intent to sign the contract, on a form
8 prescribed under s. 560.034 238.11 (1), to the ~~department of commerce~~ [✓] Wisconsin
9 Economic Development Corporation and to any collective bargaining agent in this
10 state with whom the person has a collective bargaining agreement.

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

11 **SECTION 477.** 234.65 (3) (am) of the statutes is amended to read:

12 234.65 (3) (am) The authority has received an estimate issued under s. 560.034
13 238.11 (5) (b), and the ~~department of commerce~~ [✓] Wisconsin Economic Development
14 Corporation has estimated whether the project that the authority would finance
15 under the loan is expected to eliminate, create, or maintain jobs on the project site
16 and elsewhere in this state and the net number of jobs expected to be eliminated,
17 created, or maintained as a result of the project.

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

18 **SECTION 478.** 234.65 (3m) of the statutes is amended to read:

19 234.65 (3m) An economic development loan may not be made unless the
20 ~~department of commerce~~ [✓] Wisconsin Economic Development Corporation complies
21 with sub. (1m) and certifies that each loan complies with sub. (3).

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

22 **SECTION 479.** 234.65 (3r) of the statutes is amended to read:

1 234.65 (3r) Any economic development loan ~~which~~ that a business receives
 2 from the authority under this section to finance a project shall require the business
 3 to submit to the ~~department of commerce~~ [✓] Wisconsin Economic Development
 4 Corporation within 12 months after the project is completed or 2 years after a loan
 5 is issued to finance the project, whichever is sooner, on a form prescribed under s.
 6 ~~560.034~~ 234.11 (1), the net number of jobs eliminated, created, or maintained on the
 7 project site and elsewhere in this state as a result of the project. This subsection does
 8 not apply to an economic development loan to finance an economic development
 9 project described under s. 234.01 (4n) (c).

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

10 **SECTION 480.** 234.65 (5) (intro.) of the statutes is amended to read:

11 234.65 (5) (intro.) On or before July 1, 1985, and every July 1 thereafter, the
 12 ~~department of commerce~~ [✓] Wisconsin Economic Development Corporation shall
 13 submit to the chief clerk of each house of the legislature, for distribution to the
 14 appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~
 15 that addresses the effects of lending under this section in the following areas:

History: 1983 a. 83, 192; 1985 a. 29 s. 3202 (28); 1985 a. 299, 334; 1987 a. 27, 186; 1989 a. 31, 78, 281; 1991 a. 37; 1993 a. 112, 243, 437; 1995 a. 27 s. 9116 (5); 1995 a. 56, 404; 1997 a. 27; 1999 a. 9, 85; 2001 a. 16; 2005 a. 75; 2007 a. 125.

16 **SECTION 481.** 234.83 (1c) (b) of the statutes is amended to read:

17 234.83 (1c) (b) "Small business" means a business, as defined in s. ~~560.60~~ [✓] (2)
 18 84.185 (1) (a), [✓] that employs 50 or fewer employees on a full-time basis.

History: 1991 a. 39; 1993 a. 394; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 75; 2009 a. 185.

19 **SECTION 482.** 234.84 (1) of the statutes is amended to read:

20 234.84 (1) DEFINITION. In this section, "~~department~~" "corporation" [✓] means the
 21 ~~department of commerce~~ Wisconsin Economic Development Corporation.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116.

22 **SECTION 483.** 234.84 (3) (c) of the statutes is amended to read:

1 234.84 (3) (c) The interest rate on the loan, including any origination fees or
2 other charges, is approved by the ~~department~~ corporation.[✓]

3 History: 1995 a. 27 s. 9116 (5); 1995 a. 116.

3 **SECTION 484.** 234.84 (4) (a) of the statutes is amended to read:

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

12 History: 1995 a. 27 s. 9116 (5); 1995 a. 116.

12 **SECTION 485.** 234.84 (5) (a) of the statutes is amended to read:

13 234.84 (5) (a) The program under this section shall be administered by the
14 ~~department~~ corporation[✓] with the cooperation of the authority. The ~~department~~
15 corporation shall enter into a memorandum of understanding with the authority
16 setting forth the respective responsibilities of the ~~department~~ corporation[✓] and the
17 authority with regard to the administration of the program, including the functions
18 and responsibilities specified in s. 234.932. The memorandum of understanding
19 shall provide for reimbursement to the ~~department~~ corporation by the authority for
20 costs incurred by the ~~department~~ corporation[✓] in the administration of the program.

21 History: 1995 a. 27 s. 9116 (5); 1995 a. 116.

21 **SECTION 486.** 234.84 (5) (b) of the statutes is amended to read:

SECTION 486

1 234.84 (5) (b) The ~~department~~ corporation[✓] may charge a premium, fee or other
2 charge to a borrower of a guaranteed loan under this section for the administration
3 of the loan guarantee.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116.

4 **SECTION 487.** 234.932 (1) of the statutes is repealed.

5 **SECTION 488.** 234.932 (3) (a) (intro.) of the statutes is amended to read:

6 234.932 (3) (a) (intro.) The authority ~~or department~~[✓] shall enter into a
7 guarantee agreement with any bank, production credit association, credit union,
8 savings bank, savings and loan association or other person who wishes to participate
9 in the loan program guaranteed by the Wisconsin job training reserve fund. The
10 authority ~~or department~~ may determine all of the following, consistent with the
11 terms of the loan guarantee program:

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27.

12 **SECTION 489.** 234.932 (3) (a) 2. of the statutes is amended to read:

13 234.932 (3) (a) 2. Any conditions upon which the authority ~~or department~~[✓] may
14 refuse to enter into such an agreement.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27.

15 **SECTION 490.** 234.932 (3) (c) of the statutes is amended to read:

16 234.932 (3) (c) The ~~department~~[✓] Wisconsin Economic Development Corporation
17 may establish an eligibility criteria review panel, consisting of experts in finance and
18 in the subject area of the job training loan guarantee program, to provide advice
19 about lending requirements and issues related to the job training loan guarantee
20 program.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27.

21 **SECTION 491.** 234.932 (4) of the statutes is amended to read:

22 234.932 (4) INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~[✓]
23 ~~department~~ may request the joint committee on finance to take action under s. 13.10

1 to permit the authority to increase or decrease the total outstanding guaranteed
 2 principal amount of loans that it may guarantee under the job training loan
 3 guarantee program. Included with its request, the authority [✓] ~~or department~~ shall
 4 provide a projection, for the next June 30, that compares the amounts required on
 5 that date to pay outstanding claims and to fund guarantees under the job training
 6 loan guarantee program, and the balance remaining in the Wisconsin job training
 7 reserve fund on that date after deducting such amounts, if the increase or decrease
 8 is approved, with such amounts and the balance remaining, if the increase or
 9 decrease is not approved.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27.

SECTION 492. 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.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27.

SECTION 493. Subchapter I (title) [✓] of chapter 238 [precedes 238.01] of the
 statutes is created to read:

(CAPS) →
 CHAPTER 238 ← (B)
 SUBCHAPTER I

GENERAL PROVISIONS [✓]

(title)

SECTION 494. Subchapter II [✓] of chapter 238 [precedes 238.30] of the statutes is
 created to read:

(CAPS) →
 CHAPTER 238 ← (B)
 SUBCHAPTER II

TAX INCENTIVES FOR BUSINESS [□] DEVELOPMENT [✓]

SECTION 495. 256.35 (3m) (h) of the statutes is amended to read:

SECTION 495

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

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25; 2007 a. 130 ss. 160 to 165; Stats. 2007 s. 256.35; 2009 a. 28; 2009 a. 180 s. 126.

6 **SECTION 496.** 281.60 (6) of the statutes is amended to read:

7 281.60 (6) PRIORITY LIST. The department shall establish a priority list that
8 ranks each land recycling loan program project. The department shall promulgate
9 rules for determining project rankings based on the potential of projects to reduce
10 environmental pollution and threats to human health and, for sites and facilities
11 that are not landfills, the extent to which projects will prevent the development of
12 undeveloped land by making land available for redevelopment after a cleanup is
13 conducted. Before the department establishes the priority list, the department shall
14 consider the recommendations of the department of administration and the
15 ~~department of commerce~~ Wisconsin Economic Development Corporation.[✓]

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16, 30; 2009 a. 28.

16 **SECTION 497.** 285.79 (3) (intro.) of the statutes is amended to read:

17 285.79 (3) ASSISTANCE PROGRAM. (intro.)[✓] The department shall, ~~in cooperation~~
18 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and
19 administer a small business stationary source technical and environmental
20 compliance assistance program. The program shall include all of the following:

History: 1991 a. 302; 1995 a. 227 s. 462; Stats. 1995 s. 285.79.

****NOTE: The above section deletes the role of the small business ombudsman clearinghouse in the small business stationary source technical and environmental compliance assistance program under s. 285.79. Is this okay, or should the ombudsman's duties be transferred to another entity?

21 **SECTION 498.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

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

5 History: 1995 a. 227 ss. 700, 703 to 707, 710, 993; 1997 a. 27, 35; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 30; 2007 a. 20; 2009 a. 28, 42.

5 **SECTION 499.** 292.255 of the statutes is amended to read:

6 **292.255 Report on brownfield efforts.** The department of natural
7 resources, the department of administration, and the ~~department of commerce~~
8 Wisconsin Economic Development Corporation ✓ shall submit a report evaluating the
9 effectiveness of this state's efforts to remedy the contamination of, and to redevelop,
10 brownfields, as defined in s. ~~560.13~~ 238.18 (1) (a).

11 History: 1999 a. 9, 84; 2007 a. 20.

11 **SECTION 500.** 292.79 (1) (a) of the statutes is amended to read:

12 292.79 (1) (a) "Brownfields" has the meaning given in s. ~~560.13~~ 238.13 ✓ (1) (a).

13 History: 2001 a. 16.

13 **SECTION 501.** 299.13 (1m) (intro.) of the statutes is amended to read:

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

18 History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27; 1999 a. 9; 2001 a. 103.

18 **SECTION 502.** 440.03 (1m) of the statutes is amended to read:

19 440.03 (1m) The department may promulgate rules specifying the number of
20 business days within which the department or any examining board or affiliated
21 credentialing board in the department must review and make a determination on an

1 application for a permit, as defined in s. ~~560.41(2)~~ 227.116(1g), that is issued under
2 chs. 440 to 480.

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355.

3 **SECTION 503.** 452.13 (2) (b) 3. of the statutes is amended to read:

4 452.13 (2) (b) 3. Furnish the department of regulation and licensing with a
5 letter authorizing the department of regulation and licensing and the department
6 of ~~commerce~~ Wisconsin Economic Development Corporation to examine and audit
7 the interest-bearing common trust account whenever the department of regulation
8 and licensing or the ~~department of commerce~~ Wisconsin Economic Development
9 Corporation considers it necessary.

History: 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

10 **SECTION 504.** 452.13 (2) (bm) of the statutes is amended to read:

11 452.13 (2) (bm) The department of regulation and licensing shall forward to the
12 ~~department of commerce~~ Wisconsin Economic Development Corporation the
13 information and documents furnished under par. (b).

History: 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

14 **SECTION 505.** 452.13 (2) (d) of the statutes is amended to read:

15 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Economic Development
16 Corporation is the beneficial owner of the interest accruing to the interest-bearing
17 common trust account, minus any service charges or fees.

History: 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

18 **SECTION 506.** 452.13 (2) (e) 1. of the statutes is amended to read:

19 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
20 ~~commerce~~ Wisconsin Economic Development Corporation the total interest or
21 dividends, minus service charges or fees, earned on the average daily balance in the
22 interest-bearing common trust account during the 12 months ending on the previous
23 December 31. A depository institution is not required to remit any amount if the total

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

3 **History:** 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

3 **SECTION 507.** 452.13 (2) (e) 2. of the statutes is amended to read:

4 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
5 ~~department of commerce~~ Wisconsin Economic Development Corporation and to the
6 broker maintaining the interest-bearing common trust account a statement that
7 includes the name of the broker for whose account the remittance is made, the rate
8 of interest applied, the amount of service charges or fees deducted, if any, and the
9 account balance for the period that the statement covers.

10 **History:** 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

10 **SECTION 508.** 452.13 (2) (f) 2. of the statutes is amended to read:

11 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
12 common trust account against the ~~department of commerce~~ Wisconsin Economic
13 Development Corporation.

14 **History:** 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

14 **SECTION 509.** 452.13 (2) (f) 3. of the statutes is amended to read:

15 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
16 an interest-bearing common trust account, and if a balance remains, may deduct the
17 remaining charge or fee from the interest earned on any other interest-bearing
18 common trust account maintained in that depository institution, before remitting
19 interest to the ~~department of commerce~~ Wisconsin Economic Development
20 Corporation.

21 **History:** 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25.

21 **SECTION 510.** 452.13 (5) of the statutes is amended to read:

1 452.13 (5) RULES. In consultation with the department of regulation and
2 licensing, the ~~department of commeree~~ Wisconsin Economic Development
3 Corporation shall ~~promulgate~~ adopt rules necessary to administer this section.

4 History: 1981 c. 94, 391; 1985 a. 305; 1987 a. 399; 1989 a. 307; 1991 a. 221; 1993 a. 33; 2005 a. 25. ✕

4 **SECTION 511.** Chapter 560 (title) of the statutes is repealed.

5 **SECTION 512.** Subchapter I (title) of chapter 560 [precedes 560.001] of the
6 statutes is repealed.

7 **SECTION 513.** 560.01 of the statutes is repealed. ✕

8 **SECTION 514.** 560.02 of the statutes is repealed. ✕

9 **SECTION 515.** 560.03 (title) of the statutes is repealed. ✕

10 **SECTION 516.** 560.03 (intro.) of the statutes is repealed. ✕

11 **SECTION 517.** 560.03 (1) of the statutes is repealed. ✕

12 **SECTION 518.** 560.03 (2) of the statutes is repealed. ✕

13 **SECTION 519.** 560.03 (3) of the statutes is repealed. ✕

14 **SECTION 520.** 560.03 (4) of the statutes is repealed. ✕

15 **SECTION 521.** 560.03 (4m) of the statutes is repealed. ✕

16 **SECTION 522.** 560.03 (5) of the statutes is repealed. ✕

17 **SECTION 523.** 560.03 (6) of the statutes is repealed. ✕

18 **SECTION 524.** 560.03 (8) of the statutes is repealed. ✕

19 **SECTION 525.** 560.03 (9) of the statutes is repealed. ✕

20 **SECTION 526.** 560.03 (10) of the statutes is repealed. ✕

21 **SECTION 527.** 560.03 (11) of the statutes is repealed. ✕

22 **SECTION 528.** 560.03 (16) of the statutes is repealed. ✕

23 **SECTION 529.** 560.03 (17) of the statutes is renumbered 238.25 and amended
24 to read:

1

move
238.25 ~~Assist~~ **Assistance to loan recipients.** ~~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.

History: 1971 c. 211 s. 126; 1971 c. 321 ss. 10, 16; Stats. 1971 s. 560.03; 1979 c. 34; 1979 c. 361 ss. 45, 87 to 96; 1979 c. 362; 1983 a. 27, 83, 86, 90, 91, 192; 1985 a. 182 s. 57; 1985 a. 299; 1987 a. 27, 186; 1987 a. 399 s. 433; 1989 a. 317; 1991 a. 39, 302; 1993 a. 399; 1995 a. 27, 227; 1997 a. 27; 1999 a. 150 s. 672; 2001 a. 104; 2003 a. 255; 2007 a. 125; 2009 a. 28, 265.

6 **SECTION 530.** 560.03 (18) of the statutes is repealed.

7 **SECTION 531.** 560.03 (19) of the statutes is repealed.

8 **SECTION 532.** 560.03 (20) of the statutes is repealed.

9 **SECTION 533.** 560.03 (21) of the statutes is repealed.

10 **SECTION 534.** 560.03 (22) of the statutes is repealed.

11 **SECTION 535.** 560.03 (23) of the statutes is repealed.

12 **SECTION 536.** 560.03 (25) of the statutes is repealed.

13 **SECTION 537.** 560.03 (26) of the statutes is repealed.

14 **SECTION 538.** 560.031 of the statutes is repealed.

15 **SECTION 539.** 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.

SECTION 539

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 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.

History: 1987 a. 69, 403; 1989 a. 8; 1997 a. 27; 2005 a. 335.

****NOTE: Does federal law pose any obstacle to transferring Commerce's duties
under s. 560.032 to WEDC?

15 SECTION 540. 560.034 of the statutes is renumbered 238.11, and 238.11 (1), (2),
16 (3) and (5) (intro.), as renumbered, are amended to read:

17 238.11 (Employment impact estimates). (1) The department corporation
18 shall prescribe the notice forms to be used under ss. 66.1103 (4m) (a) 1. and 234.65
19 (3) (a). The department corporation shall include on the forms a requirement for
20 information on the number of jobs the person submitting the notice expects to be
21 eliminated, created, or maintained on the project site and elsewhere in this state by
22 the project which is the subject of the notice. The department corporation shall
23 prescribe the forms to be used under ss. 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:

History: 1985 a. 299; 1999 a. 85; 1999 a. 150 s. 672; 2001 a. 104; 2009 a. 112.

14 **SECTION 541.** 560.037 of the statutes is repealed. X

15 **SECTION 542.** 560.045 of the statutes is repealed. X

16 **SECTION 543.** 560.047 of the statutes is repealed. X

17 **SECTION 544.** 560.05 of the statutes is repealed.

18 **SECTION 545.** 560.07 of the statutes is repealed. X

19 **SECTION 546.** 560.075 of the statutes is renumbered 238.12 and 238.12 (2), as
 20 renumbered, is amended to read:

21 **238.12 (2)** The department corporation may not award a grant or loan under
 22 this chapter to a person or certify a person to receive tax benefits unless the
 23 department corporation enters into an agreement with the person that requires the
 24 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the

1 grant or loan or being certified to receive tax benefits, the person ceases to conduct
 2 in this state the economic activity for which the person received the grant or loan or
 3 for which the person was certified to receive tax benefits and commences
 4 substantially the same economic activity outside this state.

5 History: 2005 a. 25, 259.

5 **SECTION 547.** 560.08 of the statutes is repealed. X

6 **SECTION 548.** 560.081 of the statutes is repealed. X

7 **SECTION 549.** 560.082 of the statutes is repealed. X

8 **SECTION 550.** 560.09 of the statutes is repealed. X

9 **SECTION 551.** 560.097 of the statutes is renumbered 238.14 and amended to
 10 read:

11 **238.14 Notification of position openings; compliance.** The department
 12 corporation ✓ shall monitor compliance with the position-opening notification
 13 requirements under ss. 66.1103 (6m) and 106.16.

14 History: 1987 a. 27; 1995 a. 27; 1999 a. 150 s. 672.

14 **SECTION 552.** 560.11 of the statutes is repealed. X

15 **SECTION 553.** 560.126 of the statutes is repealed. X

16 **SECTION 554.** 560.128 of the statutes is repealed. X

17 **SECTION 555.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered
 18 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and
 19 (f) and (5), as renumbered, are amended to read:

20 238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from~~ From the appropriation
 21 under s. ~~20.143~~ 20.192 (1) (qm) the department authority ✓ may make a grant to a
 22 person if all of the following apply:

23 (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
 24 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.

****NOTE: The above section eliminates current restrictions on matching funds
obtained under other state economic development programs. Is this okay?

3 (3) ^(intro.) ~~The department~~ corporation may consider the following criteria in making
4 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.

History: 1997 a. 27; 1999 a. 9; 2001 a. 16; 2007 a. 20, 125; 2009 a. 28.

10 **SECTION 556.** 560.13 (4) of the statutes is repealed.

11 **SECTION 557.** 560.13 (6) of the statutes is repealed.

****NOTE: The two preceding sections eliminate a limit on the maximum amount
of a brownfields grant, a requirement to award at least seven grants for projects in
municipalities with populations less than 30,000 (which does not appear to be a recurring
obligation and may therefore already be satisfied), and a requirement to promulgate
rules that specify the circumstances under which grant proceeds may be used for
assessment services. Is this okay? While WEBC is not an entity that may promulgate
rules under current law, the draft could require WEBC to "adopt" such rules, though that
process would not be subject to any procedural requirements under ch. 227.

12 **SECTION 558.** 560.138 of the statutes is repealed.

13 **SECTION 559.** 560.139 of the statutes is repealed.

14 **SECTION 560.** 560.145 of the statutes is repealed.

15 **SECTION 561.** 560.15 of the statutes is repealed.

16 **SECTION 562.** 560.155 of the statutes is repealed.

17 **SECTION 563.** 560.157 of the statutes is repealed.

18 **SECTION 564.** 560.165 of the statutes is repealed.

19 **SECTION 565.** 560.167 of the statutes is repealed.

1 SECTION 566. 560.17 of the statutes is repealed.

2 SECTION 567. 560.19 of the statutes is repealed.

3 SECTION 568. 560.203 of the statutes is repealed.

4 SECTION 569. 560.204 of the statutes is renumbered 238.14 and amended to
5 read:

6 **238.14 Hardware and software used to maintain medical records. (1)**

7 The department corporation shall implement a program to certify health care
8 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),
9 71.28 (5i), and 71.47 (5i).

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

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

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

History: 2007 a. 20.

19 SECTION 570. 560.205 of the statutes is renumbered 238.15, and 238.15 (1)
20 (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are
21 amended to read:

22 **238.15 Early stage business investment program. (1) (intro.) ANGEL**

23 INVESTMENT TAX CREDITS. The department corporation shall implement a program to
24 certify businesses for purposes of s. 71.07 (5d). A business desiring certification shall