shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

***-1356/2.28* SECTION 3195.** 425.2065 (1) of the statutes is amended to read:

425.2065 **(1)** In this section, "law enforcement agency" means the police department, combined protective services department under s. 60.553, 61.66, or 62.13 (2e), or sheriff, that has primary responsibility for providing police protection services in the city, village, or town in which a repossession is expected to occur.

***-1465/P4.1062* *-0808/2.456* SECTION 3196.** Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440

DEPARTMENT OF ~~REGULATION AND~~

~~LICENSING~~ SAFETY AND

PROFESSIONAL SERVICES

***-1465/P4.1063* *-0808/2.457* SECTION 3197.** 440.01 (1) (aj) of the statutes is amended to read:

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

***-1465/P4.1064* *-0808/2.458* SECTION 3198.** 440.01 (1) (g) of the statutes is amended to read:

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

***-1465/P4.1065* *-0808/2.459* SECTION 3199.** 440.01 (2) (cs) of the statutes is amended to read:

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

***-1272/P4.9* SECTION 3200.** 440.03 (1) of the statutes is amended to read:

440.03 **(1)** The department may promulgate rules defining uniform procedures to be used by the department, the real estate examining board, the real estate appraisers board, and all examining boards and affiliated credentialing boards attached to the department or an examining board, for receiving, filing and investigating complaints, for commencing disciplinary proceedings and for conducting hearings.

***-1465/P4.1066* *-1059/P3.584* SECTION 3201.** 440.03 (1m) of the statutes is amended to read:

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

***-1465/P4.1067* *-0808/2.460* SECTION 3202.** 440.03 (3q) of the statutes is amended to read:

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

***-1272/P4.10* SECTION 3203.** 440.03 (11m) (b) of the statutes is amended to read:

440.03 **(11m)** (b) The ~~department~~ real estate examining board shall deny an application for an initial credential or deny an application for credential renewal or

for reinstatement of an inactive license under s. 452.12 (6) (e) if any information required under par. (a) is not included in the application form or, in the case of an applicant who is an individual and who does not have a social security number, if the statement required under par. (am) is not included with the application form.

***-1465/P4.1068* *-0808/2.461* SECTION 3204.** 440.03 (11m) (c) of the statutes is amended to read:

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

***-1465/P4.1069* *-0808/2.462* SECTION 3205.** 440.03 (12m) of the statutes is amended to read:

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

***-1465/P4.1070* *-0808/2.463* SECTION 3206.** 440.03 (18) (a) of the statutes is created to read:

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

***-1465/P4.1071* *-0808/2.464* SECTION 3207.** 440.13 (1) (b) of the statutes is amended to read:

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

***-1272/P4.11* SECTION 3208.** 440.13 (2) (a) of the statutes is amended to read:

440.13 **(2)** (a) With respect to a credential granted by the department, the department shall restrict, limit, or suspend a credential or deny an application for an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~ if the credential holder or applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to support or paternity proceedings.

***-1272/P4.12* SECTION 3209.** 440.13 (2) (c) of the statutes is amended to read:

440.13 **(2)** (c) With respect to a credential granted by a credentialing board, a credentialing board shall restrict, limit or suspend a credential held by a person or deny an application for an initial credential or for reinstatement of an inactive license under s. 452.12 (6) (e) when directed to do so by the department.

***-1465/P4.1072* *-0808/2.465* SECTION 3210.** 440.22 (2) of the statutes is amended to read:

440.22 **(2)** In any disciplinary proceeding against a holder of a credential in which the department or an examining board, affiliated credentialing board or board in the department orders suspension, limitation or revocation of the credential or reprimands the holder, the department, examining board, affiliated credentialing board or board may, in addition to imposing discipline, assess all or part of the costs

of the proceeding against the holder. Costs assessed under this subsection are payable to the department. Interest shall accrue on costs assessed under this subsection at a rate of 12% per year beginning on the date that payment of the costs are due as ordered by the department, examining board, affiliated credentialing board or board. Upon the request of the department of ~~regulation and licensing~~ safety and professional services, the department of justice may commence an action to recover costs assessed under this subsection and any accrued interest.

***-1465/P4.1073* *-0808/2.466* SECTION 3211.** 440.905 (1) of the statutes is amended to read:

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

***-1465/P4.1074* *-0808/2.467* SECTION 3212.** 440.92 (2) (d) of the statutes is amended to read:

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

CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES."

***-1465/P4.1075* *-0808/2.468* SECTION 3213.** 440.945 (5) (b) of the statutes is amended to read:

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

***-1187/P5.502* SECTION 3214.** 448.20 (2) of the statutes is amended to read:

448.20 **(2)** ADVISE ~~BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS. The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees of the University of Wisconsin–Madison and the Board of Regents of the University of Wisconsin System in establishing an educational program for physician assistants on the undergraduate level. The council shall suggest criteria for admission requirements, program goals and objectives, curriculum requirements, and criteria for credit for past educational experience or training in health fields.

***-1404/1.1* SECTION 3215.** 450.01 (16) (h) (intro.) of the statutes is renumbered 450.01 (16) (h) and amended to read:

450.01 **(16)** (h) Making therapeutic alternate drug selections, if made in accordance with written guidelines or procedures previously established by a pharmacy and therapeutics committee of a hospital ~~and approved by the hospital's medical staff and use of the therapeutic alternate drug selection has been approved for a patient during the period of the patient's stay within the hospital by any of the following:~~ or by a skilled nursing facility or by an intermediate care facility for persons with mental retardation, as defined in s. 46.278 (1m) (am).

***-1404/1.2* SECTION 3216.** 450.01 (16) (h) 1. of the statutes is repealed.

***-1404/1.3* SECTION 3217.** 450.01 (16) (h) 2. of the statutes is repealed.

***-1272/P4.13* SECTION 3218.** 452.01 (1s) of the statutes is amended to read:

452.01 **(1s)** "Board" means real estate examining board.

***-1272/P4.14* SECTION 3219.** 452.025 (1) (a) of the statutes is amended to read:

452.025 **(1)** (a) A person desiring to act as a time-share salesperson shall submit to the ~~department~~ board an application for a certificate of registration.

***-1272/P4.15* SECTION 3220.** 452.025 (1) (b) (intro.) of the statutes is amended to read:

452.025 **(1)** (b) The application for registration as a time-share salesperson shall be in the form prescribed by the ~~department~~ board and shall include all of the following:

***-1272/P4.16* SECTION 3221.** 452.025 (1) (b) 4. of the statutes is amended to read:

452.025 **(1)** (b) 4. Any other information ~~which~~ that the ~~department~~ board reasonably requires to enable it to determine the competency of the person to

transact business as a time-share salesperson in a manner ~~which~~ that safeguards the interests of the public.

***-1272/P4.17* SECTION 3222.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

452.025 **(3)** (b) 2. A time-share salesperson registered under this section may complete a form purchase agreement or offer to purchase, if the form purchase agreement or offer to purchase has been approved by the ~~department~~ board and includes only the following:

***-1272/P4.18* SECTION 3223.** 452.025 (4) of the statutes is amended to read:

452.025 **(4)** A time-share salesperson registered under this section may apply at any time to transfer employment to another licensed broker by submitting to the ~~department~~ board an application in the form prescribed by the ~~department~~ board and the transfer fee specified in s. 440.05 (7).

***-1272/P4.19* SECTION 3224.** 452.025 (5) (a) of the statutes is amended to read:

452.025 **(5)** (a) The renewal date for certificates of registration granted by the ~~department~~ board under this section is specified under s. 440.08 (2) (a).

***-1272/P4.20* SECTION 3225.** 452.03 of the statutes is amended to read:

452.03 Brokers and salespersons licensed. No person may engage in or follow the business or occupation of, or advertise or hold himself or herself out as, or act temporarily or otherwise as a broker or salesperson without a license. ~~Licenses shall be granted~~ The board may grant a license only to ~~persons~~ a person who ~~are~~ is competent to transact such businesses in a manner ~~which~~ that safeguards the interests of the public, and only after satisfactory proof of the person's competence has been presented to the ~~department~~ board.

***-1272/P4.21* SECTION 3226.** 452.04 of the statutes is repealed.

***-1272/P4.22* SECTION 3227.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

452.05 (title) **Duties and powers of ~~department~~ board. (1)** (intro.) In addition to the other duties and responsibilities of the ~~department~~ board under this chapter, the ~~department~~ board shall advise the secretary on matters relating to real estate practice and shall:

***-1272/P4.23* SECTION 3228.** 452.05 (1) (b) of the statutes is amended to read:

452.05 **(1)** (b) Approve forms for use in real estate practice. The board may conduct public hearings on matters relating to the approval of forms used in real estate practice.

***-1272/P4.24* SECTION 3229.** 452.05 (1) (c) of the statutes is amended to read:

452.05 **(1)** (c) After consultation with the council on real estate curriculum and examinations ~~and subject to the procedure under s. 452.07~~, promulgate rules establishing criteria for the approval of educational programs and training sessions under s. 452.09 (2) and approve such programs and sessions in accordance with the established criteria.

***-1272/P4.25* SECTION 3230.** 452.05 (1) (d) of the statutes is amended to read:

452.05 **(1)** (d) After consultation with the council on real estate curriculum and examinations, ~~the board,~~ brokers and salespersons licensed under this chapter, and interested members of the public, establish criteria for the approval of continuing educational programs and courses in real estate related subjects required for renewal under s. 452.12 (5) (c) 1.

***-1272/P4.26* SECTION 3231.** 452.05 (1m) (b) of the statutes is amended to read:

452.05 **(1m)** (b) In preparing the form for the offer to purchase commercial real property under sub. (1) (b), the ~~department~~ board shall include a statement that the seller represents to the buyer that the seller has no notice or knowledge that the commercial real property is a historic building.

***-1272/P4.27* SECTION 3232.** 452.05 (2) of the statutes is amended to read:

452.05 **(2)** The ~~department~~ board may prepare letters and bulletins and conduct clinics disseminating information to its licensees.

***-1272/P4.28* SECTION 3233.** 452.05 (3) of the statutes is amended to read:

452.05 **(3)** The ~~department~~ board may~~, after consultation with the board,~~ enter into reciprocal agreements with officials of other states or territories of the United States for licensing brokers and salespersons and grant licenses to applicants who are licensed as brokers or salespersons in those states or territories according to the terms of the reciprocal agreements.

***-1272/P4.29* SECTION 3234.** 452.06 (2) (intro.) and (b) of the statutes are consolidated, renumbered 452.06 (2) and amended to read:

452.06 **(2)** The council on real estate curriculum and examinations shall ~~do all of the following: (b) Periodically, but~~ not less than annually~~,~~ review subjects covered on examinations for licensure under this chapter and the qualifications for instructors of and performance evaluations for educational and continuing educational programs, training sessions, and courses approved under this chapter.

***-1272/P4.30* SECTION 3235.** 452.06 (2) (a) of the statutes is repealed.

***-1272/P4.31* SECTION 3236.** 452.07 (title) of the statutes is amended to read:

452.07 (title) **Rules~~; review of rules~~.**

***-1272/P4.32* SECTION 3237.** 452.07 (1) of the statutes is amended to read:

452.07 **(1)** The ~~department~~ board shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.

***-1272/P4.33* SECTION 3238.** 452.07 (1m) of the statutes is amended to read:

452.07 **(1m)** The ~~department~~ board shall promulgate rules that specify the supervisory duties of brokers under s. 452.12 (3).

***-1272/P4.34* SECTION 3239.** 452.07 (2) to (7) of the statutes are repealed.

***-1272/P4.35* SECTION 3240.** 452.09 (1) (intro.) of the statutes is amended to read:

452.09 **(1)** FORM OF APPLICATION. (intro.) Any person desiring to act as a broker or salesperson shall submit to the ~~department~~ board an application for a license. The application shall be in such form as the ~~department~~ board prescribes and shall include the following:

***-1272/P4.36* SECTION 3241.** 452.09 (1) (e) of the statutes is amended to read:

452.09 **(1)** (e) Any other information ~~which~~ that the ~~department~~ board may reasonably require to enable it to determine the competency of each applicant, including each business representative of the business entity, to transact the business of a broker or salesperson in a manner ~~which~~ that safeguards the interests of the public.

***-1272/P4.37* SECTION 3242.** 452.09 (2) (a) of the statutes is amended to read:

452.09 **(2)** (a) Except as provided in a reciprocal agreement under s. 452.05 (3), each applicant for a salesperson's license shall submit to the ~~department~~ board evidence satisfactory to the ~~department~~ board of successful completion of educational programs approved for this purpose under s. 452.05 (1) (c). The ~~department~~ board may waive the requirement under this paragraph upon proof that

the applicant has received 10 academic credits in real estate or real estate related law courses from an accredited institution of higher education.

***-1272/P4.38* SECTION 3243.** 452.09 (2) (c) 2. of the statutes is amended to read:

452.09 **(2)** (c) 2. Submit to the ~~department~~ board evidence satisfactory to the ~~department~~ board of successful completion of educational programs in business management approved for this purpose under s. 452.05 (1) (c). No educational programs applied to satisfy the requirement under subd. 1. may be applied to satisfy the requirement under this subdivision.

***-1272/P4.39* SECTION 3244.** 452.09 (2) (d) of the statutes is amended to read:

452.09 **(2)** (d) The ~~department~~ board may waive the requirements under par. (c) upon proof that the applicant has received 20 academic credits in real estate or real estate related law courses from an accredited institution of higher education or that the applicant is licensed to practice law in this state.

***-1272/P4.40* SECTION 3245.** 452.09 (3) (a) of the statutes is amended to read:

452.09 **(3)** (a) In determining competency, the ~~department~~ board shall require proof that the applicant for a broker's or salesperson's license has a fair knowledge of the English language~~,~~; a fair understanding of the general purposes and general legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel mortgages, and conditional sales contracts~~,~~; and a general and fair understanding of the obligations between principal and agent, as well as of this chapter. ~~An~~ The board shall deny a license to an applicant receiving a failing grade, as established by rules of the ~~department~~ board, on any examination given under this section ~~shall be denied a license~~, but any applicant may review his or her examination results in a manner established by rules of the ~~department~~ board.

***-1272/P4.41* SECTION 3246.** 452.09 (3) (b) of the statutes is amended to read:

452.09 **(3)** (b) The ~~department~~ board shall determine competency under par. (a) by means of only an oral examination for any applicant who is unable to write because of a physical handicap.

***-1272/P4.42* SECTION 3247.** 452.09 (3) (d) of the statutes is amended to read:

452.09 **(3)** (d) Except as provided in a reciprocal agreement under s. 452.05 (3), the ~~department~~ board may not grant a broker's license to an applicant who does not hold a salesperson's license unless the applicant passes the salesperson's examination and the broker's examination.

***-1272/P4.43* SECTION 3248.** 452.09 (5) of the statutes is amended to read:

452.09 **(5)** APPRENTICESHIPS. Any person who is a resident of this state and 18 years of age or over may, upon application filed in accordance with sub. (1), be indentured to a licensed resident broker in accordance with rules promulgated by the ~~department~~ board. These rules shall be promulgated so as to protect the public and may limit the real estate sales and brokerage activity of the apprentice. The ~~department~~ board may require an apprentice to take a preliminary examination covering general knowledge and may prescribe the character and extent of his or her work during apprenticeship. The ~~department~~ board may issue a temporary salesperson's permit to the individual for a period not to exceed one year upon payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

***-1272/P4.44* SECTION 3249.** 452.10 (2) (b) of the statutes is amended to read:

452.10 **(2)** (b) Unless an application is withdrawn in writing before the ~~department~~ board has made any investigation, no part of the fee shall be returned.

***-1272/P4.45* SECTION 3250.** 452.10 (4) (a) of the statutes is amended to read:

452.10 **(4)** (a) Any licensed salesperson or broker may transfer to the employment of a licensed broker by first paying the transfer fee specified in s. 440.05 (7) and filing a transfer form with the ~~department~~ board.

***-1272/P4.46* SECTION 3251.** 452.10 (6) of the statutes is amended to read:

452.10 **(6)** In the case of applications for renewals of licenses the ~~department~~ board may dispense with such matters contained in s. 452.09 (1) as it deems unnecessary in view of prior applications.

***-1272/P4.47* SECTION 3252.** 452.11 (3) of the statutes is amended to read:

452.11 **(3)** Every nonresident applicant, and every resident licensee who becomes a nonresident, shall file with the ~~department~~ board an irrevocable consent that actions may be commenced against the applicant or licensee in the proper court of any county of the state in which a cause of action arises or in which the plaintiff resides, by the service of any process or pleading authorized by the laws of this state on the ~~department~~ board or any duly authorized employee. The consent shall stipulate and agree that such service is valid and binding as due service upon the applicant or licensee in all courts in this state. The consent shall be duly acknowledged and, if made by a corporation, shall be authenticated by the corporate seal.

***-1272/P4.48* SECTION 3253.** 452.11 (4) of the statutes is amended to read:

452.11 **(4)** Any process or pleading under this section shall be served in duplicate upon the ~~department~~ board or its duly authorized employee. One copy shall be filed with the ~~department~~ board and the other immediately forwarded by certified mail to the nonresident licensee against whom the process or pleading is directed at the last address provided to the ~~department~~ board by the nonresident licensee. No default in any such proceeding or action may be taken unless it appears

by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized employee that a copy of the process or pleading was mailed to the nonresident licensee as required in this subsection. No judgment by default may be taken in any action or proceeding within 20 days after the date of mailing the process or pleading to the nonresident licensee.

***-1272/P4.49* SECTION 3254.** 452.12 (1) of the statutes is amended to read:

452.12 **(1)** EXPIRATION. A license granted by the ~~department~~ board entitles the holder to act as a broker or salesperson, as the case may be, until the applicable renewal date specified under s. 440.08 (2) (a).

***-1272/P4.50* SECTION 3255.** 452.12 (2) (c) of the statutes is amended to read:

452.12 **(2)** (c) Application for a business entity license shall be made on forms prescribed by the ~~department~~ board, listing the names and addresses of all business representatives, and shall be accompanied by the initial credential fee determined by the department under s. 440.03 (9) (a). If there is a change in any of the business representatives, the change shall be reported to the ~~department~~ board, on the same form, within 30 days after the effective date of the change.

***-1272/P4.51* SECTION 3256.** 452.12 (4) of the statutes is amended to read:

452.12 **(4)** REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall maintain the register required by s. 440.035 (4).~~ The board shall include in the register the board maintains under s. 440.035 (4) the names of all brokers and salespersons whose licenses ~~have been~~ were revoked ~~at any time~~ within the past 2 years ~~prior to the issuance thereof shall be included in the register~~. The register shall be available for purchase at cost.

***-1272/P4.52* SECTION 3257.** 452.12 (5) (b) of the statutes is amended to read:

452.12 **(5)** (b) If an application for renewal is not filed with the ~~department~~ board on or before the renewal date, the applicant may not engage in any of the activities covered by the license until the license is renewed or a new license is issued.

***-1272/P4.53* SECTION 3258.** 452.12 (5) (c) 2. of the statutes is amended to read:

452.12 **(5)** (c) 2. Not later than June 30 of each even-numbered year, the ~~department~~ board shall conduct an examination on those subjects required for continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes the examination under this subdivision is not required to comply with subd. 1.

***-1187/P5.503* SECTION 3259.** 452.12 (5) (d) of the statutes is created to read:

452.12 **(5)** (d) Annually, the department shall pay to the University of Wisconsin-Madison $10 of each renewal fee received under this subsection for support of the center for urban land economics in the School of Business at the University of Wisconsin-Madison under s. 37.25 (34).

***-1272/P4.54* SECTION 3260.** 452.12 (6) (b) of the statutes is amended to read:

452.12 **(6)** (b) Unless an applicant's license has been revoked or suspended under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a) as an inactive licensee upon payment of a $15 fee.

***-1272/P4.55* SECTION 3261.** 452.12 (6) (d) of the statutes is amended to read:

452.12 **(6)** (d) If an inactive licensee files an application for reinstatement before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's original license in accordance with the requirements for late renewal under s. 440.08 (3).

***-1272/P4.56* SECTION 3262.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

452.12 **(6)** (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and 440.13 (2) ~~(a)~~ (c), the ~~department~~ board shall reinstate an inactive licensee's original license as follows:

***-1272/P4.57* SECTION 3263.** 452.12 (6) (e) 1. of the statutes is amended to read:

452.12 **(6)** (e) 1. If a person has registered as an inactive licensee before November 1, 1990, the ~~department~~ board shall reinstate the person's original license if that person applies to the ~~department~~ board for reinstatement of his or her original license, pays the fee specified under s. 440.05 (1), passes an examination under s. 452.09 (3), and completes the education requirements established by the ~~department~~ board under par. (f).

***-1272/P4.58* SECTION 3264.** 452.12 (6) (e) 2. of the statutes is amended to read:

452.12 **(6)** (e) 2. If a person has registered as an inactive licensee on or after November 1, 1990, the ~~department~~ board shall reinstate the person's original license if that person applies to the ~~department~~ board for reinstatement of his or her original license, pays the renewal fee determined by the department under s. 440.03 (9) (a) for the original license and completes 12 hours of continuing education as established by the ~~department~~ board under par. (f). A person who is eligible for reinstatement of his or her original license under this subdivision shall complete the requirements for reinstatement under this subdivision before January 1, 1996, or within 5 years after the date on which the person registered as an inactive licensee, whichever is later.

***-1272/P4.59* SECTION 3265.** 452.12 (6) (e) 3. of the statutes is amended to read:

452.12 **(6)** (e) 3. If a person who is eligible for reinstatement of his or her original license under subd. 2. does not complete the requirements for reinstatement within the time specified under subd. 2., the ~~department~~ board shall reinstate the original license of that person if he or she meets the requirements specified under subd. 1.

***-1272/P4.60* SECTION 3266.** 452.12 (6) (f) of the statutes is amended to read:

452.12 **(6)** (f) The ~~department~~ board shall promulgate rules establishing the education requirements that applicants for reinstatement of original licenses under par. (e) must satisfy.

***-1465/P4.1076* *-0808/2.469* SECTION 3267.** 452.13 (2) (b) 1. of the statutes is amended to read:

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

***-1465/P4.1077* *-0808/2.470* SECTION 3268.** 452.13 (2) (b) 2. of the statutes is amended to read:

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

***-1465/P4.1078* *-0805/P2.32* SECTION 3269.** 452.13 (2) (b) 3. of the statutes is amended to read:

452.13 **(2)** (b) 3. Furnish the department of ~~regulation and licensing~~ safety and professional services with a letter authorizing the department of ~~regulation and licensing~~ safety and professional services and the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority to examine and audit the

interest-bearing common trust account whenever the department of ~~regulation and licensing~~ safety and professional services or the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority considers it necessary.

***-1465/P4.1079* *-0805/P2.33* SECTION 3270.** 452.13 (2) (bm) of the statutes is amended to read:

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

***-1465/P4.1080* *-0805/P2.34* SECTION 3271.** 452.13 (2) (d) of the statutes is amended to read:

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

***-1465/P4.1081* *-0805/P2.35* SECTION 3272.** 452.13 (2) (e) 1. of the statutes is amended to read:

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

***-1465/P4.1082* *-0805/P2.36* SECTION 3273.** 452.13 (2) (e) 2. of the statutes is amended to read:

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

***-1465/P4.1083* *-0805/P2.37* SECTION 3274.** 452.13 (2) (f) 2. of the statutes is amended to read:

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

***-1465/P4.1084* *-0805/P2.38* SECTION 3275.** 452.13 (2) (f) 3. of the statutes is amended to read:

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

***-1465/P4.1085* *-0805/P2.39* SECTION 3276.** 452.13 (5) of the statutes is amended to read:

452.13 **(5)** RULES. In consultation with the ~~department of regulation and licensing, the department of commerce~~ Wisconsin Housing and Economic Development Authority, the department of safety and professional services shall promulgate rules necessary to administer this section.

***-1272/P4.61* SECTION 3277.** 452.14 (1) of the statutes is amended to read:

452.14 **(1)** The ~~department~~ board shall, upon motion of the ~~board~~ secretary or his or her designee or upon its own determination, conduct investigations and, as appropriate, may hold hearings and make findings, if the board or the department receives credible information that a broker, salesperson, or time-share salesperson has violated this chapter or any rule promulgated under this chapter.

***-1272/P4.62* SECTION 3278.** 452.14 (2) of the statutes is amended to read:

452.14 **(2)** ~~The department shall present the findings of any investigation of a licensee or registrant to the board for its consideration.~~ The ~~department shall upon motion of the board, and~~ board may~~, upon its own determination,~~ commence disciplinary proceedings on any matter under investigation concerning a licensee or registrant. ~~No investigation of a licensee or registrant may be closed without motion of the board.~~

***-1272/P4.63* SECTION 3279.** 452.14 (3) (L) of the statutes is amended to read:

452.14 **(3)** (L) Violated any provision of this chapter or any rule promulgated under this chapter;

***-1272/P4.64* SECTION 3280.** 452.17 (2) of the statutes is amended to read:

452.17 **(2)** Any person who engages in or follows the business or occupation of, or advertises or holds himself or herself out as or acts temporarily or otherwise as, a time-share salesperson in this state without being registered with the ~~department~~ board shall be prosecuted by the district attorney in the county where the violation occurs and may be fined not less than $25 nor more than $200 or imprisoned not less than 10 days nor more than 6 months or both.

***-1272/P4.65* SECTION 3281.** 452.22 (2) of the statutes is amended to read:

452.22 **(2)** The certificate of the ~~secretary~~ chairperson of the board or his or her designee to the effect that a specified individual or business entity is not or was not on a specified date the holder of a broker's, salesperson's, or time-share salesperson's license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension, or revocation of any license or registration or the reprimand of any license or registration holder ~~thereof~~, the filing or withdrawal of any application or its existence or nonexistence, is prima facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any action or proceedings.

***-1465/P4.1086* *-0808/2.474* SECTION 3282.** 462.01 (3) of the statutes is amended to read:

462.01 **(3)** "Department" means the department of ~~regulation and licensing~~ safety and professional services.

***-1465/P4.1087* *-0808/2.475* SECTION 3283.** Chapter 490 of the statutes is created to read:

CHAPTER 490

BUSINESS ASSISTANCE PROGRAMS

490.01 Definitions. In this chapter:

(1) "Department" means the department of safety and professional services.

(2) "Secretary" means the secretary of safety and professional services.

***-0194/3.1* SECTION 3284.** 551.403 (2) (a) 2. of the statutes is amended to read:

551.403 **(2)** (a) 2. Institutional investors, except any institutional investor described in s. 551.102 (11) (k), (m), or (o).

***-0194/3.2* SECTION 3285.** 551.403 (2) (a) 2m. of the statutes is amended to read:

551.403 **(2)** (a) 2m. Accredited investors as defined in Rule 501 (a) (1)~~, (2),~~ or (3)~~, (7) or (8)~~ adopted under the Securities Act of 1933.

***-1465/P4.1089* *-1059/P3.585* SECTION 3286.** Chapter 560 (title) of the statutes is repealed.

***-1465/P4.1090* *-1059/P3.586* SECTION 3287.** Subchapter I (title) of chapter 560 [precedes 560.001] of the statutes is repealed.

***-1465/P4.1091* *-1059/P3.587* SECTION 3288.** 560.001 of the statutes is repealed.

***-1465/P4.1092* *-1059/P3.588* SECTION 3289.** 560.01 (title), (1) and (2) of the statutes are repealed.

***-1465/P4.1093* *-1059/P3.589* SECTION 3290.** 560.01 (3) of the statutes is renumbered 238.04 (14) and amended to read:

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

***-1465/P4.1094* *-1059/P3.590* SECTION 3291.** 560.02 of the statutes is repealed.

***-1465/P4.1095* *-1059/P3.591* SECTION 3292.** 560.03 (title) of the statutes is repealed.

***-1465/P4.1096* *-1059/P3.592* SECTION 3293.** 560.03 (intro.) of the statutes is repealed.

***-1465/P4.1097* *-1059/P3.593* SECTION 3294.** 560.03 (1) of the statutes is repealed.

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

***-1465/P4.1098* *-1059/P3.594* SECTION 3295.** 560.03 (2) of the statutes is repealed.

***-1465/P4.1099* *-1059/P3.595* SECTION 3296.** 560.03 (3) of the statutes is repealed.

***-1465/P4.1100* *-1059/P3.596* SECTION 3297.** 560.03 (4) of the statutes is repealed.

***-1465/P4.1101* *-1059/P3.597* SECTION 3298.** 560.03 (4m) of the statutes is repealed.

***-1465/P4.1102* *-1059/P3.598* SECTION 3299.** 560.03 (5) of the statutes is repealed.

***-1465/P4.1103* *-1059/P3.599* SECTION 3300.** 560.03 (6) of the statutes is repealed.

***-1465/P4.1104* *-1059/P3.600* SECTION 3301.** 560.03 (8) of the statutes is repealed.

***-1465/P4.1105* *-1059/P3.601* SECTION 3302.** 560.03 (9) of the statutes is repealed.

***-1465/P4.1106* *-1059/P3.602* SECTION 3303.** 560.03 (10) of the statutes is repealed.

***-1465/P4.1107* *-1059/P3.603* SECTION 3304.** 560.03 (11) of the statutes is repealed.

***-1465/P4.1108* *-1059/P3.604* SECTION 3305.** 560.03 (16) of the statutes is repealed.

1 ***-1465/P4.1109* *-1059/P3.605* SECTION 3306.** 560.03 (17) of the statutes is
2 renumbered 238.25 and amended to read:

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

8 ***-1465/P4.1110* *-1059/P3.606* SECTION 3307.** 560.03 (18) of the statutes is
9 repealed.

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

10 ***-1465/P4.1111* *-1059/P3.607* SECTION 3308.** 560.03 (19) of the statutes is
11 repealed.

12 ***-1465/P4.1112* *-1059/P3.608* SECTION 3309.** 560.03 (20) of the statutes is
13 repealed.

14 ***-1465/P4.1113* *-1059/P3.609* SECTION 3310.** 560.03 (21) of the statutes is
15 repealed.

16 ***-1465/P4.1114* *-1059/P3.610* SECTION 3311.** 560.03 (22) of the statutes is
17 repealed.

18 ***-1465/P4.1115* *-1059/P3.611* SECTION 3312.** 560.03 (23) of the statutes is
19 repealed.

20 ***-1465/P4.1116* *-1059/P3.612* SECTION 3313.** 560.03 (25) of the statutes is
21 repealed.

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

***-1465/P4.1117* *-1059/P3.613* SECTION 3314.** 560.03 (26) of the statutes is repealed.

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

***-1465/P4.1118* *-1059/P3.614* SECTION 3315.** 560.031 of the statutes is repealed.

***-1465/P4.1119* *-1059/P3.615* SECTION 3316.** 560.032 of the statutes is renumbered 238.10 and amended to read:

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

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

(3) CONDITIONS. The ~~department~~ corporation may establish~~, by rule,~~ any procedure for, and place any condition upon, the granting of an allocation under this section which the ~~department~~ corporation deems to be in the best interest of the state

including~~, but not limited to,~~ a requirement that a cash deposit, at a rate established by the ~~department in the rules~~ corporation, be a condition for an allocation.

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

***-1465/P4.1120* *-1059/P3.616* SECTION 3317.** 560.033 of the statutes is repealed.

***-1465/P4.1121* *-0808/2.477* SECTION 3318.** 560.0335 of the statutes is renumbered 490.02.

***-1465/P4.1122* *-1059/P3.617* SECTION 3319.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are amended to read:

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

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

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

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

***-1465/P4.1123* *-0808/2.478* SECTION 3320.** 560.035 of the statutes is renumbered 490.03.

***-1465/P4.1124* *-0808/2.479* SECTION 3321.** 560.036 of the statutes is renumbered 490.04.

***-1465/P4.1125* *-0808/2.480* SECTION 3322.** 560.037 of the statutes is renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is amended to read:

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

***-1465/P4.1126* *-1059/P3.619* SECTION 3323.** 560.04 of the statutes is repealed.

***-1465/P4.1127* *-1059/P3.620* SECTION 3324.** 560.045 of the statutes is repealed.

***-1465/P4.1128* *-1059/P3.621* SECTION 3325.** 560.047 of the statutes is repealed.

***-1465/P4.1129* *-1059/P3.622* SECTION 3326.** 560.05 of the statutes is repealed.

***-1465/P4.1130* *-1059/P3.623* SECTION 3327.** 560.07 of the statutes is repealed.

***-1465/P4.1131* *-1059/P3.624* SECTION 3328.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

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

***-1465/P4.1132* *-1059/P3.625* SECTION 3329.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

***-1465/P4.1133* *-1059/P3.626* SECTION 3330.** 560.08 (2) (m) of the statutes is renumbered 238.26 and amended to read:

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

***-1465/P4.1134* *-1059/P3.627* SECTION 3331.** 560.081 of the statutes is repealed.

***-1465/P4.1135* *-1059/P3.628* SECTION 3332.** 560.082 of the statutes is repealed.

***-1465/P4.1136* *-1059/P3.629* SECTION 3333.** 560.09 of the statutes is repealed.

***-1465/P4.1137* *-1059/P3.630* SECTION 3334.** 560.097 of the statutes is renumbered 238.15 and amended to read:

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

***-1465/P4.1138* *-1059/P3.631* SECTION 3335.** 560.11 of the statutes is repealed.

***-1465/P4.1139* SECTION 3336.** 560.125 (title) and (1) to (3) of the statutes are renumbered 101.45 (title) and (1) to (3).

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

***-1465/P4.1140* SECTION 3337.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4) (a) to (e), and 101.45 (4) (d), as renumbered, is amended to read:

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

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

***-1465/P4.1141* SECTION 3338.** 560.125 (4) (f) and (g) of the statutes are repealed.

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

***-1465/P4.1142* SECTION 3339.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to (6).

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

***-1465/P4.1143* *-1059/P3.632* SECTION 3340.** 560.126 of the statutes is repealed.

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

***-1465/P4.1144* *-1059/P3.633* SECTION 3341.** 560.128 of the statutes is repealed.

***-1465/P4.1145* *-1059/P3.634* SECTION 3342.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

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

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

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

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

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

***-1465/P4.1146* *-1059/P3.635* SECTION 3343.** 560.13 (4) of the statutes is repealed.

***-1465/P4.1147* *-1059/P3.636* SECTION 3344.** 560.13 (6) of the statutes is repealed.

***-1465/P4.1148* *-1059/P3.637* SECTION 3345.** 560.138 of the statutes is repealed.

***-1465/P4.1149* *-1059/P3.638* SECTION 3346.** 560.139 of the statutes is repealed.

***-1465/P4.1150* *-1059/P3.639* SECTION 3347.** 560.145 of the statutes is repealed.

***-1465/P4.1151* *-1059/P3.640* SECTION 3348.** 560.15 of the statutes is repealed.

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

***-1465/P4.1152* *-1059/P3.641* SECTION 3349.** 560.155 of the statutes is repealed.

***-1465/P4.1153* *-1059/P3.642* SECTION 3350.** 560.157 of the statutes is repealed.

***-1465/P4.1154* *-1059/P3.643* SECTION 3351.** 560.165 of the statutes is repealed.

***-1465/P4.1155* *-1059/P3.644* SECTION 3352.** 560.167 of the statutes is repealed.

***-1465/P4.1156* *-1059/P3.645* SECTION 3353.** 560.17 of the statutes is repealed.

***-1465/P4.1157* *-1059/P3.646* SECTION 3354.** 560.19 of the statutes is repealed.

***-1465/P4.1158* *-1059/P3.647* SECTION 3355.** 560.203 of the statutes is repealed.

***-1465/P4.1159* *-1059/P3.648* SECTION 3356.** 560.204 of the statutes is renumbered 238.14 and amended to read:

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

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

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

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

***-1465/P4.1160* *-1059/P3.649* SECTION 3357.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1) (intro.), (2) and (3) (a), (b), (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are amended to read:

238.15 **(1)** ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation shall implement a program to certify businesses for purposes of s. 71.07 (5d). A business desiring certification shall submit an application to the ~~department~~

corporation in each taxable year for which the business desires certification. The business shall specify in its application the investment amount it wishes to raise and the ~~department~~ corporation may certify the business and determine the amount that qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of the department, a~~ A business may be certified under this subsection, and may maintain such certification, only if the business satisfies all of the following conditions:

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

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

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

(d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation with the department of revenue, shall ~~promulgate~~ adopt rules to administer this section. The rules shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) at $3,000,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $5,500,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $6,500,000 for calendar year 2010, and $20,000,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) at $3,500,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, $6,000,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, $8,000,000 for calendar year 2010, and $20,500,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional $250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also provide that,

for calendar years beginning after December 31, 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's investment is kept in a certified business, or with a certified fund manager, for no less than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits under this section that are unused in any calendar year to a person eligible for tax benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

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

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

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

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

~~department shall deposit all fees collected under this paragraph in the appropriation account under s. 20.143 (1) (gm).~~

***-1465/P4.1161* *-1059/P3.650* SECTION 3358.** 560.2055 (title) and (1) of the statutes are renumbered 238.16 (title) and (1).

***-1465/P4.1162* *-1059/P3.651* SECTION 3359.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

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

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

***-1465/P4.1163* *-1059/P3.652* SECTION 3360.** 560.2055 (3) (intro.) and (c) of the statutes are renumbered 238.16 (3) (intro.) and (c) and amended to read:

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

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

***-1465/P4.1164* *-1059/P3.653* SECTION 3361.** 560.2055 (3) (a) of the statutes is repealed.

***-1465/P4.1165* *-1059/P3.654* SECTION 3362.** 560.2055 (3) (b) of the statutes is repealed.

***-1465/P4.1166* *-1059/P3.655* SECTION 3363.** 560.2055 (4) (title) and (a) of the statutes are renumbered 238.16 (4) (title) and (a).

***-1465/P4.1167* *-1059/P3.656* SECTION 3364.** 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

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

***-1465/P4.1168* *-1059/P3.657* SECTION 3365.** 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

***-1465/P4.1169* *-1059/P3.658* SECTION 3366.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

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

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

***-1465/P4.1170* *-1059/P3.659* SECTION 3367.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are amended to read:

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

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

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

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

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

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

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

***-1465/P4.1171* *-1059/P3.660* SECTION 3368.** 560.2056 of the statutes is renumbered 238.17 and amended to read:

238.17 Food processing plant and food warehouse investment credit. **(1)** The ~~department of commerce~~ corporation shall implement a program to certify

taxpayers as eligible for the food processing plant and food warehouse investment credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

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

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

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

***-1465/P4.1172* *-1059/P3.661* SECTION 3369.** 560.206 of the statutes is renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

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

***-1465/P4.1173* *-1059/P3.662* SECTION 3370.** 560.207 of the statutes is renumbered 93.535 and amended to read:

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

1 **(2)** If the department ~~of commerce~~ certifies a taxpayer under sub. (1), the
2 department ~~of commerce~~ shall determine the amount of credits to allocate to that
3 taxpayer. The total amount of dairy manufacturing facility investment credits
4 allocated to taxpayers in fiscal year 2007-08 may not exceed $600,000 and the total
5 amount of dairy manufacturing facility investment credits allocated to taxpayers
6 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal
7 year thereafter, may not exceed $700,000. The total amount of dairy manufacturing
8 facility investment credits allocated to taxpayers who are members of dairy
9 cooperatives in fiscal year 2009-10 may not exceed $600,000 and the total amount
10 of dairy manufacturing facility investment credits allocated to taxpayers who are
11 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year
12 thereafter, may not exceed $700,000.

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

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

18 ***-1465/P4.1174* *-1059/P3.663* SECTION 3371.** 560.208 of the statutes is
19 renumbered 238.19 and amended to read:

20 **238.19 Meat processing facility investment credit. (1)** The ~~department~~
21 ~~of commerce~~ corporation shall implement a program to certify taxpayers as eligible
22 for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and
23 71.47 (3r).

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

to allocate to that taxpayer. The total amount of meat processing facility investment credits allocated to taxpayers in fiscal year 2009-10 may not exceed $300,000 and the total amount of meat processing facility investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed $700,000.

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

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

***-1465/P4.1175* *-1059/P3.664* SECTION 3372.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended to read:

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

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

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

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

***-1465/P4.1176* *-1059/P3.665* SECTION 3373.** 560.209 of the statutes is renumbered 238.21 and amended to read:

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

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

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

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

***-1465/P4.1177* *-1059/P3.666* SECTION 3374.** 560.21 of the statutes is repealed.

***-1465/P4.1178* *-1059/P3.667* SECTION 3375.** 560.25 of the statutes is repealed.

***-1465/P4.1179* *-1059/P3.668* SECTION 3376.** 560.255 of the statutes is repealed.

***-1465/P4.1180* *-1059/P3.669* SECTION 3377.** 560.27 of the statutes is repealed.

***-1465/P4.1181* *-1059/P3.670* SECTION 3378.** 560.275 of the statutes is repealed.

***-1465/P4.1182* *-1059/P3.671* SECTION 3379.** 560.276 of the statutes is repealed.

***-1465/P4.1183* *-1059/P3.672* SECTION 3380.** 560.277 of the statutes is repealed.

***-1465/P4.1184* *-1059/P3.673* SECTION 3381.** 560.28 of the statutes is repealed.

***-1465/P4.1185* *-1059/P3.674* SECTION 3382.** 560.285 of the statutes is repealed.

***-1465/P4.1186* *-1059/P3.675* SECTION 3383.** 560.29 of the statutes is repealed.

***-1465/P4.1187* *-1059/P3.676* SECTION 3384.** Subchapter II (title) of chapter 560 [precedes 560.30] of the statutes is repealed.

***-1465/P4.1188* *-1059/P3.677* SECTION 3385.** 560.30 of the statutes is repealed.

***-1465/P4.1189* *-1059/P3.678* SECTION 3386.** 560.301 of the statutes is repealed.

***-1465/P4.1190* *-1059/P3.679* SECTION 3387.** 560.302 of the statutes is repealed.

***-1465/P4.1191* *-1059/P3.680* SECTION 3388.** 560.303 of the statutes is repealed.

***-1465/P4.1192* *-1059/P3.681* SECTION 3389.** 560.304 of the statutes is repealed.

***-1465/P4.1193* *-1059/P3.682* SECTION 3390.** 560.305 of the statutes is repealed.

***-1465/P4.1194* *-1059/P3.683* SECTION 3391.** Subchapter III (title) of chapter 560 [precedes 560.41] of the statutes is repealed.

***-1465/P4.1195* *-1059/P3.684* SECTION 3392.** 560.41 of the statutes is repealed.

***-1465/P4.1196* *-1059/P3.685* SECTION 3393.** 560.42 of the statutes is repealed.

***-1465/P4.1197* *-1059/P3.686* SECTION 3394.** 560.43 of the statutes is repealed.

***-1465/P4.1198* *-1059/P3.687* SECTION 3395.** 560.44 of the statutes is repealed.

***-1465/P4.1199* *-0808/2.485* SECTION 3396.** 560.45 of the statutes is renumbered 490.05, and 490.05 (1), as renumbered, is amended to read:

490.05 **(1)** The department may award a grant from the appropriations under s. ~~20.143~~ 20.165 (1) ~~(ie), (ig), (im), and~~ (ir) to a business for innovation and research assistance.

***-1465/P4.1200* *-1059/P3.689* SECTION 3397.** Subchapter IV (title) of chapter 560 [precedes 560.51] of the statutes is repealed.

***-1465/P4.1201* *-1059/P3.690* SECTION 3398.** 560.51 of the statutes is repealed.

***-1465/P4.1202* *-1059/P3.691* SECTION 3399.** 560.53 of the statutes is repealed.

***-1465/P4.1203* *-1059/P3.692* SECTION 3400.** 560.54 of the statutes is repealed.

***-1465/P4.1204* *-1059/P3.693* SECTION 3401.** Subchapter V (title) of chapter 560 [precedes 560.60] of the statutes is repealed.

***-1465/P4.1205* *-1059/P3.694* SECTION 3402.** 560.60 of the statutes is repealed.

***-1465/P4.1206* *-1059/P3.695* SECTION 3403.** 560.602 of the statutes is repealed.

***-1465/P4.1207* *-1059/P3.696* SECTION 3404.** 560.605 of the statutes is repealed.

***-1465/P4.1208* *-1059/P3.697* SECTION 3405.** 560.607 of the statutes is repealed.

***-1465/P4.1209* *-1059/P3.698* SECTION 3406.** 560.61 of the statutes is repealed.

***-1465/P4.1210* *-1059/P3.699* SECTION 3407.** 560.68 of the statutes is repealed.

***-1465/P4.1211* *-1059/P3.700* SECTION 3408.** Subchapter VI (title) of chapter 560 [precedes 560.70] of the statutes is repealed.

***-1465/P4.1212* *-1059/P3.701* SECTION 3409.** 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

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

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

(2m) (b) The ~~department may by rule specify~~ corporation may adopt a rule specifying circumstances under which the ~~department~~ corporation may grant exceptions to the requirement under par. (a) that a full-time job means a job in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, but under no circumstances may a full-time job mean a job in which an individual, as a condition of employment, is required to work less than 37.5 hours per week.

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

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

2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395 (1) (g) and (h), "tax benefits" means the development zone credits under ss. 71.07

(2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

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

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

****NOTE: This is reconciled s. 560.70 (4m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1195/1 and LRB-1465/P3.

***-1465/P4.1213* *-1059/P3.702* SECTION 3410.** 560.70 (1) of the statutes is repealed.

***-1465/P4.1214* *-1059/P3.703* SECTION 3411.** 560.701 of the statutes is renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

***-1465/P4.1215* *-1059/P3.704* SECTION 3412.** 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

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

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

(2) CAPITAL INVESTMENT PROJECT. A project that involves a significant investment of capital, as defined by the ~~department~~ corporation by rule under s.

~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property, or depreciable personal property.

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

***-1465/P4.1216* *-1059/P3.705* SECTION 3413.** 560.703 (title) of the statutes is renumbered 238.303 (title).

***-1465/P4.1217* *-1059/P3.706* SECTION 3414.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (a) and amended to read:

238.303 **(1)** (a) Except as provided in pars. (am) and (b), and subject to a reallocation by the ~~department~~ corporation pursuant to rules ~~promulgated~~ adopted under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the ~~department~~ corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not exceed the sum of the tax benefits remaining to be allocated under ~~ss.~~ s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus $25,000,000.

***-1465/P4.1218* *-1059/P3.707* SECTION 3415.** 560.703 (1) (am) of the statutes, as created by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (am) and amended to read:

238.303 **(1)** (am) Before the ~~department~~ corporation allocates the additional $25,000,000 in tax benefits specified in par. (a), the ~~department~~ corporation shall submit its plan for such allocation to the joint committee on finance. If the cochairpersons of the committee do not notify the ~~department~~ corporation within 14