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1 license from other operator's licenses or identification cards issued by the
2 department and that alerts federal agency and other law enforcement personnel that
3 the license may not be accepted for federal identification or any other official
4 purpose.

5 **SECTION 3163.** 343.17 (5) of the statutes is amended to read:

6 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
7 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
8 forms provided by the department and shall contain the information required by sub.
9 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305
10 (8) (a) are not required to include a photograph of the licensee.

11 **SECTION 3164.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20
12 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

13 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
14 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
15 forms provided by the department and shall contain the information required by sub.
16 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not
17 required to include a photograph of the licensee. This subsection does not apply to
18 a noncitizen temporary license, as described in s. 343.03 (3m).

19 **SECTION 3165.** 343.20 (2) (a) of the statutes is amended to read:

20 343.20 (2) (a) The At least 30 days prior to the expiration of an operator's
21 license, the department shall mail to the provide to the licensee notice of renewal of
22 the license either by mail at the licensee's last-known address of a licensee at least
23 30 days prior to the expiration of the license a notice of the date upon which the
24 license must be renewed or, if desired by the licensee, by any electronic means offered
25 by the department.

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1 **SECTION 3166.** 343.20 (2) (a) of the statutes, as affected by 2007 Wisconsin Act
2 20 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

3 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
4 the department shall provide to the licensee notice of renewal of the license either
5 by mail at the licensee's last-known address or, if desired by the licensee, by any
6 electronic means offered by the department. If the license was issued or last renewed
7 based upon the person's presenting of any documentary proof specified in s. 343.14
8 (2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s.
9 343.165 (4) (c).

10 **SECTION 3167.** 343.20 (2) (b) of the statutes is amended to read:

11 343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration
12 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of
13 transportation shall ~~mail provide~~ provide a notice to the licensee either by mail at the
14 licensee's last-known address of the licensee or, if desired by the licensee, by any
15 electronic means offered by the department of transportation that the licensee is
16 required to pass a security threat assessment screening by the federal
17 transportation security administration of the federal department of homeland
18 security as part of the application to renew the endorsement. The notice shall inform
19 the licensee that the licensee may commence the federal security threat assessment
20 screening at any time, but no later than 30 days before expiration of the
21 endorsement.

22 **SECTION 3168.** 343.21 (2) (a) of the statutes is renumbered 343.21 (2) (a) 1. and
23 amended to read:

24 343.21 (2) (a) 1. In addition to the fees set under sub. (1), any applicant whose
25 application for a permit, license, upgrade or endorsement, taken together with the

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1 applicant's currently valid license, if any, requires the department to administer a
2 driving skills test of the applicant's ability to exercise ordinary and reasonable
3 control in the operation of a motor vehicle shall pay to the department an
4 examination fee of \$20 for an examination in a commercial motor vehicle other than
5 a school bus, \$15 for an examination in a "Class D" vehicle, and \$15 for an
6 examination in any other vehicle. **Payment**

7 2. Except as provided in subd. 3., payment of the applicable examination fee
8 under subd. 1. entitles the applicant to not more than 3 tests of the applicant's ability
9 to exercise reasonable control in the operation of a motor vehicle. If the applicant
10 does not qualify for issuance of a license, upgraded license, or endorsement in 3 such
11 tests, then a 2nd examination fee in the same amount shall be paid, which payment
12 entitles the applicant to not more than 3 additional tests.

13 **SECTION 3169.** 343.21 (2) (a) 3. of the statutes is created to read:

14 343.21 (2) (a) 3. For an examination in a "Class D" vehicle, payment of the
15 examination fee under subd. 1. entitles the applicant to not more than 2 tests of the
16 applicant's ability to exercise reasonable control in the operation of a motor vehicle.
17 If the applicant does not qualify for issuance of a license, upgraded license, or
18 endorsement in these 2 tests, then the applicant shall pay an additional examination
19 fee of \$15 for each examination thereafter.

20 **SECTION 3170.** 343.315 (2) (h) of the statutes is amended to read:

21 343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for
22 a period of 90 days from operating a commercial motor vehicle if convicted of an
23 out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3
24 years if convicted of 3 or more out-of-service violations, arising from separate
25 occurrences committed within a 10-year period while operating a commercial motor

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1 vehicle. A disqualification under this paragraph shall be in addition to any penalty
2 imposed under s. 343.44. In this paragraph, “out-of-service violation” means
3 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,
4 if committed in this state, would have been a violation of s. 343.44 (1) (c), ~~by operating~~
5 ~~a commercial motor vehicle while the operator or vehicle is ordered out-of-service~~
6 ~~under the law of this state or another jurisdiction or under federal law~~, if the operator
7 holds a commercial driver license or is required to hold a commercial driver license
8 to operate the commercial motor vehicle.

9 **SECTION 3171.** 343.44 (1) (c) of the statutes is amended to read:

10 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
11 a commercial motor vehicle while the person or the commercial motor vehicle is
12 ordered out-of-service under the law of this state or another jurisdiction or under
13 federal law. No person may operate a commercial motor vehicle for which the motor
14 carrier identified on the motor vehicle’s registration application as the motor carrier
15 responsible for safety of the vehicle has been issued a federal out-of-service order
16 for unsatisfactory safety compliance, while this federal out-of-service order is in
17 effect.

18 **SECTION 3172.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

19 **SECTION 3173.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20
20 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

21 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to
22 every qualified applicant, who has paid all required fees, an identification card as
23 provided in this section.

24 (b) The department may not issue an identification card to a person previously
25 issued an operator’s license in another jurisdiction unless the person surrenders to

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1 the department any valid operator's license possessed by the person issued by
2 another jurisdiction, which surrender operates as a cancellation of the license insofar
3 as the person's privilege to operate a motor vehicle in this state is concerned. Within
4 30 days following issuance of the identification card under this section, the
5 department shall destroy any operator's license surrendered under this paragraph
6 and report to the jurisdiction that issued the surrendered operator's license that the
7 license has been destroyed and the person has been issued an identification card in
8 this state.

9 (c) The department may issue a receipt to any applicant for an identification
10 card, which receipt shall constitute a temporary identification card while the
11 application is being processed and shall be valid for a period not to exceed 60 days.
12 If the application for an identification card is processed under the exception specified
13 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

14 **SECTION 3174.** 343.50 (1) (c) of the statutes is created to read:

15 343.50 (1) (c) The department may issue a receipt to any applicant for an
16 identification card, which receipt shall constitute a temporary identification card
17 while the application is being processed and shall be valid for a period not to exceed
18 60 days.

19 **SECTION 3175.** 343.50 (3) of the statutes is amended to read:

20 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
21 an operator's license but shall be of a design which is readily distinguishable from
22 the design of an operator's license and bear upon it the words "IDENTIFICATION
23 CARD ONLY". The information on the card shall be the same as specified under s.
24 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
25 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as

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1 a record of refusal under s. 157.06 (2) (u). ~~The~~ Except as provided in sub. (4g), the
2 card shall contain the holder's photograph and, if applicable, shall be of the design
3 specified under s. 343.17 (3) (a) 12.

4 **SECTION 3176.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20
5 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

6 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size
7 as an operator's license but shall be of a design which is readily distinguishable from
8 the design of an operator's license and bear upon it the words "IDENTIFICATION
9 CARD ONLY." The information on the card shall be the same as specified under s.
10 343.17 (3). If the issuance of the card requires the applicant to present any
11 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
12 front side of the card, a legend identifying the card as temporary. The card shall
13 contain physical security features consistent with any requirement under federal
14 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may
15 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
16 record of refusal under s. 157.06 (2) (u). ~~Except as provided in sub. (4g), the card shall~~
17 ~~contain the holder's photograph and, if applicable, shall be of the design specified~~
18 ~~under s. 343.17 (3) (a) 12.~~

19 (b) If an identification card is issued based upon the exception specified in s.
20 343.165 (7), the card shall, in addition to any other required legend or design, be of
21 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or
22 identical to the marking described in s. 343.03 (3r).

23 **SECTION 3177.** 343.50 (4) of the statutes is amended to read:

24 343.50 (4) APPLICATION. The application for an identification card shall include
25 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),

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1 and (er), and such further information as the department may reasonably require to
2 enable it to determine whether the applicant is entitled by law to an identification
3 card. The Except with respect to renewals by mail or electronic means as authorized
4 under sub. (6), and except as provided in sub. (4g), the department shall, as part of
5 the application process for original issuance or renewal of an identification card, take
6 a photograph of the applicant to comply with sub. (3). ~~No application may be~~
7 ~~processed without the photograph being taken.~~ Misrepresentations in violation of
8 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

9 **SECTION 3178.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
10 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

11 343.50 (4) APPLICATION. The application for an identification card shall include
12 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
13 and (es), and such further information as the department may reasonably require to
14 enable it to determine whether the applicant is entitled by law to an identification
15 card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by
16 mail or electronic means as authorized under sub. (6), and except as provided in sub.
17 (4g), the department shall, as part of the application process for original issuance or
18 renewal of an identification card, take a digital photograph including facial image
19 capture of the applicant to comply with sub. (3). Misrepresentations in violation of
20 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

21 **SECTION 3179.** 343.50 (4g) of the statutes is created to read:

22 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an
23 identification card may be processed and the identification card issued or renewed
24 without a photograph being taken of the applicant if the applicant provides to the
25 department an affidavit stating that the applicant has a sincerely held religious

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1 belief against being photographed; identifying the religion to which he or she belongs
2 or the tenets of which he or she adheres to; and stating that the tenets of the religion
3 prohibit him or her from being photographed.

4 **SECTION 3180.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
5 (this act), is repealed and recreated to read:

6 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an
7 identification card is processed under the exception specified in s. 343.165 (7), the
8 application may be processed and the identification card issued or renewed without
9 a photograph being taken of the applicant if the applicant provides to the department
10 an affidavit stating that the applicant has a sincerely held religious belief against
11 being photographed; identifying the religion to which he or she belongs or the tenets
12 of which he or she adheres to; and stating that the tenets of the religion prohibit him
13 or her from being photographed.

14 **SECTION 3181.** 343.50 (6) of the statutes is amended to read:

15 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the an
16 identification card, the department shall ~~mail a renewal application to the provide~~
17 to the card holder notice of renewal of the card either by mail at the card holder's
18 last-known address of each identification card holder or, if desired by the card holder,
19 by any electronic means offered by the department. The department shall include
20 with the ~~application~~ notice information, as developed by all organ procurement
21 organizations in cooperation with the department, that promotes anatomical
22 donations and which relates to the anatomical donation opportunity available under
23 s. 343.175. The fee for a renewal identification card shall be \$18, which card shall
24 be valid for 8 years, except that a card that is issued to a person who is not a United
25 States citizen and who provides documentary proof of legal status as provided under

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1 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
2 States is no longer authorized. If the documentary proof as provided under s. 343.14
3 (2) (er) does not state the date that the person's legal presence in the United States
4 is no longer authorized, then the card shall be valid for 8 years. The department may
5 renew an identification card by mail or by any electronic means available to the
6 department, but the department may not make consecutive renewals by mail or
7 electronic means.

8 **SECTION 3182.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
9 section 3383, and 2011 Wisconsin Act (this act), is repealed and recreated to read:

10 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
11 identification card, the department shall provide to the card holder notice of renewal
12 of the card either by mail at the card holder's last-known address or, if desired by
13 the card holder, by any electronic means offered by the department. If the card was
14 issued or last renewed based upon the person's presenting of any documentary proof
15 specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the
16 requirement under s. 343.165 (4) (c). The department shall include with the notice
17 information, as developed by all organ procurement organizations in cooperation
18 with the department, that promotes anatomical donations and which relates to the
19 anatomical donation opportunity available under s. 343.175. The department may
20 renew an identification card by mail or by any electronic means available to the
21 department, but the department may not make consecutive renewals by mail or
22 electronic means.

23 **SECTION 3183.** 345.28 (1) (a) of the statutes is amended to read:

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1 345.28 (1) (a) "Authority" means a local authority, a state agency, the
2 University of Wisconsin-Madison, any campus of the University of Wisconsin
3 System, or any technical college district.

4 **SECTION 3184.** 345.28 (1) (b) of the statutes is amended to read:

5 345.28 (1) (b) "Forfeiture" includes a fine established under s. 36.11 (8), 37.11
6 (8), or 38.14 (13).

7 **SECTION 3185.** 345.28 (1) (c) of the statutes is amended to read:

8 345.28 (1) (c) "Nonmoving traffic violation" is any parking of a vehicle in
9 violation of a statute, an ordinance, a rule under s. 36.11 (8) or 37.11 (8) or a resolution
10 under s. 38.14 (13).

11 **SECTION 3186.** 346.503 (1m) (g) of the statutes is amended to read:

12 346.503 (1m) (g) This subsection does not affect the authority under s. 101.13
13 of the department of ~~commerce~~ safety and professional services to require by rule the
14 reservation of parking spaces for use by a motor vehicle used by a physically disabled
15 person.

16 **SECTION 3187.** 346.503 (4) of the statutes is amended to read:

17 346.503 (4) The department, after consulting with the department of
18 ~~commerce~~ safety and professional services, shall promulgate rules governing the
19 design, size and installation of the official traffic signs required under sub. (2) or
20 (2m).

21 **SECTION 3188.** 348.27 (11m) (d) of the statutes is amended to read:

22 348.27 (11m) (d) The secretary of transportation may limit the application of
23 permits issued under this subsection to specific areas of the state or to specific
24 highways. A permit authorized under this subsection takes effect upon the mailing
25 or delivery of a complete application and the required fee to the department. A

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1 permit authorized under this subsection is valid for up to 90 days, as determined by
2 the secretary of transportation.

3 **SECTION 3189.** 349.13 (1j) of the statutes is amended to read:

4 349.13 (1j) The department, with respect to state trunk highways outside of
5 corporate limits, and local authorities, with respect to highways under their
6 jurisdiction including state trunk highways or connecting highways within
7 corporate limits, may authorize persons to park their vehicles during specified hours
8 on the near side of a highway adjacent to a schoolhouse located on property of the
9 University of Wisconsin System or property of the University of Wisconsin-Madison
10 when the persons are conducting business at the schoolhouse.

11 **SECTION 3190.** 349.137 (2) of the statutes is amended to read:

12 349.137 (2) No person may use an immobilization device to immobilize a motor
13 vehicle to enforce restrictions against unauthorized parking except in conformity
14 with a municipal ordinance enacted under this section or a rule adopted under s.
15 36.11 (8) or 37.11 (8).

16 **SECTION 3191.** 349.137 (3) (intro.) of the statutes is amended to read:

17 349.137 (3) (intro.) The governing body of any municipality may by ordinance,
18 ~~or~~ the chancellor of a campus of the University of Wisconsin System may by rule
19 under s. 36.11 (8), or the chancellor of the University of Wisconsin-Madison may be
20 rule under s. 37.11 (8), provide for the use of immobilization devices to enforce
21 restrictions against unauthorized parking. Any ordinance under this subsection or
22 rule under s. 36.11 (8) or 37.11 (8) shall do all of the following:

23 **SECTION 3192.** 349.137 (4) (b) of the statutes is amended to read:

24 349.137 (4) (b) A chancellor of a campus of the University of Wisconsin System
25 or the chancellor of the University of Wisconsin-Madison may adopt or enforce any

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1 rule under s. 36.11 (8) or 37.11 (8) regulating the use of immobilization devices to
2 enforce parking restrictions that is not contrary to or inconsistent with this section.

3 **SECTION 3193.** 350.12 (4) (bg) 2. of the statutes is amended to read:

4 350.12 (4) (bg) 2. For fiscal year 2001-02, and for each fiscal year thereafter,
5 the department shall calculate an amount equal to the number of trail use stickers
6 issued under sub. (3j) in the previous fiscal year multiplied by \$15 \$32 and shall
7 credit this amount to the appropriation account under s. 20.370 (5) (cw). From the
8 appropriation account under s. 20.370 (5) (cw), the department shall make payments
9 to the department or a county for the purposes specified in par. (b). The department
10 shall make payments under par. (bm) for trail maintenance costs that were incurred
11 in the previous fiscal year and that exceed the maximum specified under par. (b) 1.
12 before making payments for any of the other purposes specified in par. (b).

13 **SECTION 3194.** 425.2065 (1) of the statutes is amended to read:

14 425.2065 (1) In this section, "law enforcement agency" means the police
15 department, combined protective services department under s. 60.553, 61.66, or
16 62.13 (2e), or sheriff, that has primary responsibility for providing police protection
17 services in the city, village, or town in which a repossession is expected to occur.

18 **SECTION 3195.** Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440**DEPARTMENT OF REGULATION AND****LICENSING SAFETY AND****PROFESSIONAL SERVICES**

23 **SECTION 3196.** 440.01 (1) (aj) of the statutes is amended to read:

24 440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~
25 safety and professional services.

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1 **SECTION 3197.** 440.01 (1) (g) of the statutes is amended to read:

2 440.01 (1) (g) “Secretary” means the secretary of ~~regulation and licensing~~
3 safety and professional services.

4 **SECTION 3198.** 440.01 (2) (cs) of the statutes is amended to read:

5 440.01 (2) (cs) “Minority group member” has the meaning given in s. ~~560.036~~
6 490.04 (1) (f).

7 **SECTION 3199.** 440.03 (1) of the statutes is amended to read:

8 440.03 (1) The department may promulgate rules defining uniform procedures
9 to be used by the department, the real estate examining board, the real estate
10 appraisers board, and all examining boards and affiliated credentialing boards
11 attached to the department or an examining board, for receiving, filing and
12 investigating complaints, for commencing disciplinary proceedings and for
13 conducting hearings.

14 **SECTION 3200.** 440.03 (1m) of the statutes is amended to read:

15 440.03 (1m) The department may promulgate rules specifying the number of
16 business days within which the department or any examining board or affiliated
17 credentialing board in the department must review and make a determination on an
18 application for a permit, as defined in s. ~~560.41(2)~~ 227.116(1g), that is issued under
19 chs. 440 to 480.

20 **SECTION 3201.** 440.03 (3q) of the statutes is amended to read:

21 440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~
22 licensing safety and professional services shall investigate any report that it receives
23 under s. 146.40 (4r) (em).

24 **SECTION 3202.** 440.03 (11m) (b) of the statutes is amended to read:

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1 440.03 (11m) (b) The ~~department~~ real estate examining board shall deny an
2 application for an initial credential or deny an application for credential renewal or
3 for reinstatement of an inactive license under s. 452.12 (6) (e) if any information
4 required under par. (a) is not included in the application form or, in the case of an
5 applicant who is an individual and who does not have a social security number, if the
6 statement required under par. (am) is not included with the application form.

7 **SECTION 3203.** 440.03 (11m) (c) of the statutes is amended to read:

8 440.03 (11m) (c) The department of ~~regulation and licensing~~ safety and
9 professional services may not disclose a social security number obtained under par.
10 (a) to any person except the coordinated licensure information system under s.
11 441.50 (7); the department of children and families for purposes of administering s.
12 49.22; and, for a social security number obtained under par. (a) 1., the department
13 of revenue for the purpose of requesting certifications under s. 73.0301 and
14 administering state taxes.

15 **SECTION 3204.** 440.03 (12m) of the statutes is amended to read:

16 440.03 (12m) The department of ~~regulation and licensing~~ safety and
17 professional services shall cooperate with the departments of justice, children and
18 families, and health services in developing and maintaining a computer linkup to
19 provide access to information regarding the current status of a credential issued to
20 any person by the department of ~~regulation and licensing~~ safety and professional
21 services, including whether that credential has been restricted in any way.

22 **SECTION 3205.** 440.03 (18) (a) of the statutes is created to read:

23 440.03 (18) (a) In this subsection, “veteran” has the meaning given in s. 45.01
24 (12).

25 **SECTION 3206.** 440.13 (1) (b) of the statutes is amended to read:

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

4 **SECTION 3207.** 440.13 (2) (a) of the statutes is amended to read:

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

12 **SECTION 3208.** 440.13 (2) (c) of the statutes is amended to read:

13 440.13 (2) (c) With respect to a credential granted by a credentialing board, a
14 credentialing board shall restrict, limit or suspend a credential held by a person or
15 deny an application for an initial credential or for reinstatement of an inactive
16 license under s. 452.12 (6) (e) when directed to do so by the department.

17 **SECTION 3209.** 440.22 (2) of the statutes is amended to read:

18 440.22 (2) In any disciplinary proceeding against a holder of a credential in
19 which the department or an examining board, affiliated credentialing board or board
20 in the department orders suspension, limitation or revocation of the credential or
21 reprimands the holder, the department, examining board, affiliated credentialing
22 board or board may, in addition to imposing discipline, assess all or part of the costs
23 of the proceeding against the holder. Costs assessed under this subsection are
24 payable to the department. Interest shall accrue on costs assessed under this
25 subsection at a rate of 12% per year beginning on the date that payment of the costs

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1 are due as ordered by the department, examining board, affiliated credentialing
2 board or board. Upon the request of the department of ~~regulation and licensing~~
3 safety and professional services, the department of justice may commence an action
4 to recover costs assessed under this subsection and any accrued interest.

5 **SECTION 3210.** 440.905 (1) of the statutes is amended to read:

6 440.905 (1) In addition to the other duties and powers of the board under this
7 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
8 and professional services on matters relating to cemeteries, to this chapter, or to the
9 board.

10 **SECTION 3211.** 440.92 (2) (d) of the statutes is amended to read:

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

23 **SECTION 3212.** 440.945 (5) (b) of the statutes is amended to read:

24 440.945 (5) (b) The department of justice or any district attorney, upon
25 informing the department of justice, may commence an action in circuit court in the

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

10 **SECTION 3213.** 448.20 (2) of the statutes is amended to read:

11 448.20 (2) ~~ADVISE BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.

12 The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees
13 of the University of Wisconsin-Madison and the Board of Regents of the University
14 of Wisconsin System in establishing an educational program for physician assistants
15 on the undergraduate level. The council shall suggest criteria for admission
16 requirements, program goals and objectives, curriculum requirements, and criteria
17 for credit for past educational experience or training in health fields.

18 **SECTION 3214.** 450.01 (16) (h) (intro.) of the statutes is renumbered 450.01 (16)

19 (h) and amended to read:

20 450.01 (16) (h) Making therapeutic alternate drug selections, if made in
21 accordance with written guidelines or procedures previously established by a
22 pharmacy and therapeutics committee of a hospital ~~and approved by the hospital's~~
23 ~~medical staff and use of the therapeutic alternate drug selection has been approved~~
24 ~~for a patient during the period of the patient's stay within the hospital by any of the~~

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1 ~~following: or by a skilled nursing facility or by an intermediate care facility for~~
2 ~~persons with mental retardation, as defined in s. 46.278 (1m) (am).~~

3 **SECTION 3215.** 450.01 (16) (h) 1. of the statutes is repealed.

4 **SECTION 3216.** 450.01 (16) (h) 2. of the statutes is repealed.

5 **SECTION 3217.** 452.01 (1s) of the statutes is amended to read:

6 452.01 (1s) "Board" means real estate examining board.

7 **SECTION 3218.** 452.025 (1) (a) of the statutes is amended to read:

8 452.025 (1) (a) A person desiring to act as a time-share salesperson shall
9 submit to the ~~department~~ board an application for a certificate of registration.

10 **SECTION 3219.** 452.025 (1) (b) (intro.) of the statutes is amended to read:

11 452.025 (1) (b) The application for registration as a time-share salesperson
12 shall be in the form prescribed by the ~~department~~ board and shall include all of the
13 following:

14 **SECTION 3220.** 452.025 (1) (b) 4. of the statutes is amended to read:

15 452.025 (1) (b) 4. Any other information ~~which~~ that the ~~department~~ board
16 reasonably requires to enable it to determine the competency of the person to
17 transact business as a time-share salesperson in a manner ~~which~~ that safeguards
18 the interests of the public.

19 **SECTION 3221.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

20 452.025 (3) (b) 2. A time-share salesperson registered under this section may
21 complete a form purchase agreement or offer to purchase, if the form purchase
22 agreement or offer to purchase has been approved by the ~~department~~ board and
23 includes only the following:

24 **SECTION 3222.** 452.025 (4) of the statutes is amended to read:

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1 452.025 (4) A time-share salesperson registered under this section may apply
2 at any time to transfer employment to another licensed broker by submitting to the
3 ~~department board~~ an application in the form prescribed by the department board
4 and the transfer fee specified in s. 440.05 (7).

5 **SECTION 3223.** 452.025 (5) (a) of the statutes is amended to read:

6 452.025 (5) (a) The renewal date for certificates of registration granted by the
7 ~~department board~~ under this section is specified under s. 440.08 (2) (a).

8 **SECTION 3224.** 452.03 of the statutes is amended to read:

9 **452.03 Brokers and salespersons licensed.** No person may engage in or
10 follow the business or occupation of, or advertise or hold himself or herself out as, or
11 act temporarily or otherwise as a broker or salesperson without a license. Licenses
12 ~~shall be granted~~ The board may grant a license only to persons a person who are is
13 competent to transact such businesses in a manner ~~which~~ that safeguards the
14 interests of the public, and only after satisfactory proof of the person's competence
15 has been presented to the ~~department board~~.

16 **SECTION 3225.** 452.04 of the statutes is repealed.

17 **SECTION 3226.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

18 **452.05 (title) Duties and powers of department board.** (1) (intro.) In
19 addition to the other duties and responsibilities of the ~~department board~~ under this
20 chapter, the ~~department board~~ shall advise the secretary on matters relating to real
21 estate practice and shall:

22 **SECTION 3227.** 452.05 (1) (b) of the statutes is amended to read:

23 452.05 (1) (b) Approve forms for use in real estate practice. The board may
24 conduct public hearings on matters relating to the approval of forms used in real
25 estate practice.

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1 **SECTION 3228.** 452.05 (1) (c) of the statutes is amended to read:

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

7 **SECTION 3229.** 452.05 (1) (d) of the statutes is amended to read:

8 452.05 (1) (d) After consultation with the council on real estate curriculum and
9 examinations, ~~the board~~, brokers and salespersons licensed under this chapter, and
10 interested members of the public, establish criteria for the approval of continuing
11 educational programs and courses in real estate related subjects required for
12 renewal under s. 452.12 (5) (c) 1.

13 **SECTION 3230.** 452.05 (1m) (b) of the statutes is amended to read:

14 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real
15 property under sub. (1) (b), the ~~department~~ board shall include a statement that the
16 seller represents to the buyer that the seller has no notice or knowledge that the
17 commercial real property is a historic building.

18 **SECTION 3231.** 452.05 (2) of the statutes is amended to read:

19 452.05 (2) The ~~department~~ board may prepare letters and bulletins and
20 conduct clinics disseminating information to its licensees.

21 **SECTION 3232.** 452.05 (3) of the statutes is amended to read:

22 452.05 (3) The ~~department~~ board may, ~~after consultation with the board~~, enter
23 into reciprocal agreements with officials of other states or territories of the United
24 States for licensing brokers and salespersons and grant licenses to applicants who

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1 are licensed as brokers or salespersons in those states or territories according to the
2 terms of the reciprocal agreements.

3 **SECTION 3233.** 452.06 (2) (intro.) and (b) of the statutes are consolidated,
4 renumbered 452.06 (2) and amended to read:

5 452.06 (2) The council on real estate curriculum and examinations shall ~~do all~~
6 ~~of the following:~~ (b) ~~Periodically,~~ but not less than annually, review subjects covered
7 on examinations for licensure under this chapter and the qualifications for
8 instructors of and performance evaluations for educational and continuing
9 educational programs, training sessions, and courses approved under this chapter.

10 **SECTION 3234.** 452.06 (2) (a) of the statutes is repealed.

11 **SECTION 3235.** 452.07 (title) of the statutes is amended to read:

12 **452.07** (title) **Rules; review of rules.**

13 **SECTION 3236.** 452.07 (1) of the statutes is amended to read:

14 452.07 (1) The ~~department~~ board shall promulgate rules for the guidance of the
15 real estate profession and define professional conduct and unethical practice.

16 **SECTION 3237.** 452.07 (1m) of the statutes is amended to read:

17 452.07 (1m) The ~~department~~ board shall promulgate rules that specify the
18 supervisory duties of brokers under s. 452.12 (3).

19 **SECTION 3238.** 452.07 (2) to (7) of the statutes are repealed.

20 **SECTION 3239.** 452.09 (1) (intro.) of the statutes is amended to read:

21 452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker
22 or salesperson shall submit to the ~~department~~ board an application for a license. The
23 application shall be in such form as the ~~department~~ board prescribes and shall
24 include the following:

25 **SECTION 3240.** 452.09 (1) (e) of the statutes is amended to read:

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

6 **SECTION 3241.** 452.09 (2) (a) of the statutes is amended to read:

7 452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3),
8 each applicant for a salesperson's license shall submit to the ~~department~~ board
9 evidence satisfactory to the ~~department~~ board of successful completion of
10 educational programs approved for this purpose under s. 452.05 (1) (c). The
11 ~~department~~ board may waive the requirement under this paragraph upon proof that
12 the applicant has received 10 academic credits in real estate or real estate related
13 law courses from an accredited institution of higher education.

14 **SECTION 3242.** 452.09 (2) (c) 2. of the statutes is amended to read:

15 452.09 (2) (c) 2. Submit to the ~~department~~ board evidence satisfactory to the
16 ~~department~~ board of successful completion of educational programs in business
17 management approved for this purpose under s. 452.05 (1) (c). No educational
18 programs applied to satisfy the requirement under subd. 1. may be applied to satisfy
19 the requirement under this subdivision.

20 **SECTION 3243.** 452.09 (2) (d) of the statutes is amended to read:

21 452.09 (2) (d) The ~~department~~ board may waive the requirements under par.
22 (c) upon proof that the applicant has received 20 academic credits in real estate or
23 real estate related law courses from an accredited institution of higher education or
24 that the applicant is licensed to practice law in this state.

25 **SECTION 3244.** 452.09 (3) (a) of the statutes is amended to read:

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1 452.09 (3) (a) In determining competency, the ~~department~~ board shall require
2 proof that the applicant for a broker's or salesperson's license has a fair knowledge
3 of the English language; a fair understanding of the general purposes and general
4 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel
5 mortgages, and conditional sales contracts; and a general and fair understanding
6 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The
7 board shall deny a license to an applicant receiving a failing grade, as established by
8 rules of the ~~department~~ board, on any examination given under this section ~~shall be~~
9 ~~denied a license~~, but any applicant may review his or her examination results in a
10 manner established by rules of the ~~department~~ board.

11 **SECTION 3245.** 452.09 (3) (b) of the statutes is amended to read:

12 452.09 (3) (b) The ~~department~~ board shall determine competency under par.
13 (a) by means of only an oral examination for any applicant who is unable to write
14 because of a physical handicap.

15 **SECTION 3246.** 452.09 (3) (d) of the statutes is amended to read:

16 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),
17 the ~~department~~ board may not grant a broker's license to an applicant who does not
18 hold a salesperson's license unless the applicant passes the salesperson's
19 examination and the broker's examination.

20 **SECTION 3247.** 452.09 (5) of the statutes is amended to read:

21 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18
22 years of age or over may, upon application filed in accordance with sub. (1), be
23 indentured to a licensed resident broker in accordance with rules promulgated by the
24 ~~department~~ board. These rules shall be promulgated so as to protect the public and
25 may limit the real estate sales and brokerage activity of the apprentice. The

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1 ~~department board~~ may require an apprentice to take a preliminary examination
2 covering general knowledge and may prescribe the character and extent of his or her
3 work during apprenticeship. The ~~department board~~ board may issue a temporary
4 salesperson's permit to the individual for a period not to exceed one year upon
5 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

6 **SECTION 3248.** 452.10 (2) (b) of the statutes is amended to read:

7 452.10 (2) (b) Unless an application is withdrawn in writing before the
8 ~~department board~~ board has made any investigation, no part of the fee shall be returned.

9 **SECTION 3249.** 452.10 (4) (a) of the statutes is amended to read:

10 452.10 (4) (a) Any licensed salesperson or broker may transfer to the
11 employment of a licensed broker by first paying the transfer fee specified in s. 440.05
12 (7) and filing a transfer form with the ~~department board~~ board.

13 **SECTION 3250.** 452.10 (6) of the statutes is amended to read:

14 452.10 (6) In the case of applications for renewals of licenses the ~~department~~
15 board may dispense with such matters contained in s. 452.09 (1) as it deems
16 unnecessary in view of prior applications.

17 **SECTION 3251.** 452.11 (3) of the statutes is amended to read:

18 452.11 (3) Every nonresident applicant, and every resident licensee who
19 becomes a nonresident, shall file with the ~~department board~~ board an irrevocable consent
20 that actions may be commenced against the applicant or licensee in the proper court
21 of any county of the state in which a cause of action arises or in which the plaintiff
22 resides, by the service of any process or pleading authorized by the laws of this state
23 on the ~~department board~~ board or any duly authorized employee. The consent shall
24 stipulate and agree that such service is valid and binding as due service upon the
25 applicant or licensee in all courts in this state. The consent shall be duly

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1 acknowledged and, if made by a corporation, shall be authenticated by the corporate
2 seal.

3 **SECTION 3252.** 452.11 (4) of the statutes is amended to read:

4 452.11 (4) Any process or pleading under this section shall be served in
5 duplicate upon the ~~department~~ board or its duly authorized employee. One copy
6 shall be filed with the ~~department~~ board and the other immediately forwarded by
7 certified mail to the nonresident licensee against whom the process or pleading is
8 directed at the last address provided to the ~~department~~ board by the nonresident
9 licensee. No default in any such proceeding or action may be taken unless it appears
10 by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized
11 employee that a copy of the process or pleading was mailed to the nonresident
12 licensee as required in this subsection. No judgment by default may be taken in any
13 action or proceeding within 20 days after the date of mailing the process or pleading
14 to the nonresident licensee.

15 **SECTION 3253.** 452.12 (1) of the statutes is amended to read:

16 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the
17 holder to act as a broker or salesperson, as the case may be, until the applicable
18 renewal date specified under s. 440.08 (2) (a).

19 **SECTION 3254.** 452.12 (2) (c) of the statutes is amended to read:

20 452.12 (2) (c) Application for a business entity license shall be made on forms
21 prescribed by the ~~department~~ board, listing the names and addresses of all business
22 representatives, and shall be accompanied by the initial credential fee determined
23 by the department under s. 440.03 (9) (a). If there is a change in any of the business
24 representatives, the change shall be reported to the ~~department~~ board, on the same
25 form, within 30 days after the effective date of the change.

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1 **SECTION 3255.** 452.12 (4) of the statutes is amended to read:

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

8 **SECTION 3256.** 452.12 (5) (b) of the statutes is amended to read:

9 452.12 (5) (b) If an application for renewal is not filed with the ~~department~~
10 board on or before the renewal date, the applicant may not engage in any of the
11 activities covered by the license until the license is renewed or a new license is issued.

12 **SECTION 3257.** 452.12 (5) (c) 2. of the statutes is amended to read:

13 452.12 (5) (c) 2. Not later than June 30 of each even-numbered year, the
14 ~~department~~ board shall conduct an examination on those subjects required for
15 continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes
16 the examination under this subdivision is not required to comply with subd. 1.

17 **SECTION 3258.** 452.12 (5) (d) of the statutes is created to read:

18 452.12 (5) (d) Annually, the department shall pay to the University of
19 Wisconsin-Madison \$10 of each renewal fee received under this subsection for
20 support of the center for urban land economics in the School of Business at the
21 University of Wisconsin-Madison under s. 37.25 (34).

22 **SECTION 3259.** 452.12 (6) (b) of the statutes is amended to read:

23 452.12 (6) (b) Unless an applicant's license has been revoked or suspended
24 under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a)
25 as an inactive licensee upon payment of a \$15 fee.

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1 **SECTION 3260.** 452.12 (6) (d) of the statutes is amended to read:

2 452.12 (6) (d) If an inactive licensee files an application for reinstatement
3 before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's
4 original license in accordance with the requirements for late renewal under s. 440.08
5 (3).

6 **SECTION 3261.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

7 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and
8 440.13 (2) (a) (c), the ~~department~~ board shall reinstate an inactive licensee's original
9 license as follows:

10 **SECTION 3262.** 452.12 (6) (e) 1. of the statutes is amended to read:

11 452.12 (6) (e) 1. If a person has registered as an inactive licensee before
12 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
13 if that person applies to the ~~department~~ board for reinstatement of his or her original
14 license, pays the fee specified under s. 440.05 (1), passes an examination under s.
15 452.09 (3), and completes the education requirements established by the ~~department~~
16 board under par. (f).

17 **SECTION 3263.** 452.12 (6) (e) 2. of the statutes is amended to read:

18 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after
19 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
20 if that person applies to the ~~department~~ board for reinstatement of his or her original
21 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)
22 for the original license and completes 12 hours of continuing education as established
23 by the ~~department~~ board under par. (f). A person who is eligible for reinstatement
24 of his or her original license under this subdivision shall complete the requirements
25 for reinstatement under this subdivision before January 1, 1996, or within 5 years

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1 after the date on which the person registered as an inactive licensee, whichever is
2 later.

3 **SECTION 3264.** 452.12 (6) (e) 3. of the statutes is amended to read:

4 452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her
5 original license under subd. 2. does not complete the requirements for reinstatement
6 within the time specified under subd. 2., the ~~department~~ board shall reinstate the
7 original license of that person if he or she meets the requirements specified under
8 subd. 1.

9 **SECTION 3265.** 452.12 (6) (f) of the statutes is amended to read:

10 452.12 (6) (f) The ~~department~~ board shall promulgate rules establishing the
11 education requirements that applicants for reinstatement of original licenses under
12 par. (e) must satisfy.

13 **SECTION 3266.** 452.13 (2) (b) 1. of the statutes is amended to read:

14 452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~
15 safety and professional services the name and address of the depository institution
16 and the number of the interest-bearing common trust account.

17 **SECTION 3267.** 452.13 (2) (b) 2. of the statutes is amended to read:

18 452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and
19 professional services when any of the information required under subd. 1. is
20 changed.

21 **SECTION 3268.** 452.13 (2) (b) 3. of the statutes is amended to read:

22 452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and
23 professional services with a letter authorizing the department of ~~regulation and~~
24 licensing safety and professional services and the ~~department of commerce~~
25 Wisconsin Housing and Economic Development Authority to examine and audit the

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

4 **SECTION 3269.** 452.13 (2) (bm) of the statutes is amended to read:

5 452.13 (2) (bm) The department of ~~regulation and licensing safety and~~
6 ~~professional services~~ shall forward to the ~~department of commerce~~ Wisconsin
7 Housing and Economic Development Authority the information and documents
8 furnished under par. (b).

9 **SECTION 3270.** 452.13 (2) (d) of the statutes is amended to read:

10 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic
11 Development Authority is the beneficial owner of the interest accruing to the
12 interest-bearing common trust account, minus any service charges or fees.

13 **SECTION 3271.** 452.13 (2) (e) 1. of the statutes is amended to read:

14 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
15 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
16 interest or dividends, minus service charges or fees, earned on the average daily
17 balance in the interest-bearing common trust account during the 12 months ending
18 on the previous December 31. A depository institution is not required to remit any
19 amount if the total interest or dividends for that period is less than \$10 before any
20 deduction for service charges or fees.

21 **SECTION 3272.** 452.13 (2) (e) 2. of the statutes is amended to read:

22 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
23 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
24 and to the broker maintaining the interest-bearing common trust account a
25 statement that includes the name of the broker for whose account the remittance is

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1 made, the rate of interest applied, the amount of service charges or fees deducted,
2 if any, and the account balance for the period that the statement covers.

3 **SECTION 3273.** 452.13 (2) (f) 2. of the statutes is amended to read:

4 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
5 common trust account against the ~~department of commerce~~ Wisconsin Housing and
6 Economic Development Authority.

7 **SECTION 3274.** 452.13 (2) (f) 3. of the statutes is amended to read:

8 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
9 an interest-bearing common trust account, and if a balance remains, may deduct the
10 remaining charge or fee from the interest earned on any other interest-bearing
11 common trust account maintained in that depository institution, before remitting
12 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
13 Development Authority.

14 **SECTION 3275.** 452.13 (5) of the statutes is amended to read:

15 452.13 (5) RULES. In consultation with the ~~department of regulation and~~
16 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic
17 Development Authority, the department of safety and professional services shall
18 promulgate rules necessary to administer this section.

19 **SECTION 3276.** 452.14 (1) of the statutes is amended to read:

20 452.14 (1) The ~~department~~ board shall, upon motion of the ~~board~~ secretary or
21 his or her designee or upon its own determination, conduct investigations and, as
22 appropriate, may hold hearings and make findings, if the board or the department
23 receives credible information that a broker, salesperson, or time-share salesperson
24 has violated this chapter or any rule promulgated under this chapter.

25 **SECTION 3277.** 452.14 (2) of the statutes is amended to read:

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1 452.14 (2) ~~The department shall present the findings of any investigation of~~
2 ~~a licensee or registrant to the board for its consideration. The department shall upon~~
3 ~~motion of the board, and board may, upon its own determination, commence~~
4 ~~disciplinary proceedings on any matter under investigation concerning a licensee or~~
5 ~~registrant. No investigation of a licensee or registrant may be closed without motion~~
6 ~~of the board.~~

7 **SECTION 3278.** 452.14 (3) (L) of the statutes is amended to read:

8 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated
9 under this chapter;

10 **SECTION 3279.** 452.17 (2) of the statutes is amended to read:

11 452.17 (2) Any person who engages in or follows the business or occupation of,
12 or advertises or holds himself or herself out as or acts temporarily or otherwise as,
13 a time-share salesperson in this state without being registered with the ~~department~~
14 board shall be prosecuted by the district attorney in the county where the violation
15 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less
16 than 10 days nor more than 6 months or both.

17 **SECTION 3280.** 452.22 (2) of the statutes is amended to read:

18 452.22 (2) The certificate of the ~~secretary~~ chairperson of the board or his or her
19 designee to the effect that a specified individual or business entity is not or was not
20 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's
21 license or registration, or that a specified license or registration was not in effect on
22 a date specified, or as to the issuance, limitation, suspension, or revocation of any
23 license or registration or the reprimand of any license or registration holder thereof,
24 the filing or withdrawal of any application or its existence or nonexistence, is prima

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1 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any
2 action or proceedings.

3 **SECTION 3281.** 462.01 (3) of the statutes is amended to read:

4 462.01 (3) "Department" means the department of ~~regulation and licensing~~
5 safety and professional services.

6 **SECTION 3282.** Chapter 490 of the statutes is created to read:

7 **CHAPTER 490**

8 **BUSINESS ASSISTANCE PROGRAMS**

9 **490.01 Definitions.** In this chapter:

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

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

12 **SECTION 3283.** 551.403 (2) (a) 2. of the statutes is amended to read:

13 551.403 (2) (a) 2. Institutional investors, except any institutional investor
14 described in s. 551.102 (11) (k), (m), or (o).

15 **SECTION 3284.** 551.403 (2) (a) 2m. of the statutes is amended to read:

16 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2), or~~
17 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

18 **SECTION 3285.** Chapter 560 (title) of the statutes is repealed.

19 **SECTION 3286.** Subchapter I (title) of chapter 560 [precedes 560.001] of the
20 statutes is repealed.

21 **SECTION 3287.** 560.001 of the statutes is repealed.

22 **SECTION 3288.** 560.01 (title), (1) and (2) of the statutes are repealed.

23 **SECTION 3289.** 560.01 (3) of the statutes is renumbered 238.04 (14) and
24 amended to read:

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1 238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
2 agreements regarding compensation, space, and other administrative matters as are
3 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such
4 agreements shall be subject to the approval of the secretary of administration.

5 **SECTION 3290.** 560.02 of the statutes is repealed.

6 **SECTION 3291.** 560.03 (title) of the statutes is repealed.

7 **SECTION 3292.** 560.03 (intro.) of the statutes is repealed.

8 **SECTION 3293.** 560.03 (1) of the statutes is repealed.

9 **SECTION 3294.** 560.03 (2) of the statutes is repealed.

10 **SECTION 3295.** 560.03 (3) of the statutes is repealed.

11 **SECTION 3296.** 560.03 (4) of the statutes is repealed.

12 **SECTION 3297.** 560.03 (4m) of the statutes is repealed.

13 **SECTION 3298.** 560.03 (5) of the statutes is repealed.

14 **SECTION 3299.** 560.03 (6) of the statutes is repealed.

15 **SECTION 3300.** 560.03 (8) of the statutes is repealed.

16 **SECTION 3301.** 560.03 (9) of the statutes is repealed.

17 **SECTION 3302.** 560.03 (10) of the statutes is repealed.

18 **SECTION 3303.** 560.03 (11) of the statutes is repealed.

19 **SECTION 3304.** 560.03 (16) of the statutes is repealed.

20 **SECTION 3305.** 560.03 (17) of the statutes is renumbered 238.25 and amended

21 to read:

22 **238.25 Assistance to loan recipients.** ~~Assist~~ The corporation shall assist
23 new businesses and small businesses receiving economic development loans under
24 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic

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1 Development Authority in locating sources of venture capital and in obtaining the
2 state and federal licenses and permits necessary for business operations.

3 **SECTION 3306.** 560.03 (18) of the statutes is repealed.

4 **SECTION 3307.** 560.03 (19) of the statutes is repealed.

5 **SECTION 3308.** 560.03 (20) of the statutes is repealed.

6 **SECTION 3309.** 560.03 (21) of the statutes is repealed.

7 **SECTION 3310.** 560.03 (22) of the statutes is repealed.

8 **SECTION 3311.** 560.03 (23) of the statutes is repealed.

9 **SECTION 3312.** 560.03 (25) of the statutes is repealed.

10 **SECTION 3313.** 560.03 (26) of the statutes is repealed.

11 **SECTION 3314.** 560.031 of the statutes is repealed.

12 **SECTION 3315.** 560.032 of the statutes is renumbered 238.10 and amended to
13 read:

14 **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**

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

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

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

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

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

11 **SECTION 3316.** 560.033 of the statutes is repealed.

12 **SECTION 3317.** 560.0335 of the statutes is renumbered 490.02.

13 **SECTION 3318.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1),
14 (2), (3) and (5) (intro.), as renumbered, are amended to read:

15 238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be
16 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation
17 shall include on the forms a requirement for information on the number of jobs the
18 person submitting the notice expects to be eliminated, created, or maintained on the
19 project site and elsewhere in this state by the project which is the subject of the
20 notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.
21 66.1103 (4m) (b) and 234.65 (3r).

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

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

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

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

10 **SECTION 3319.** 560.035 of the statutes is renumbered 490.03.

11 **SECTION 3320.** 560.036 of the statutes is renumbered 490.04.

12 **SECTION 3321.** 560.037 of the statutes is renumbered 490.06, and 490.06 (1)
13 (intro.) of the statutes, as renumbered, is amended to read:

14 490.06 (1) (intro.) Subject to sub. (3), the department may make grants from
15 the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative
16 corporation to fund its operating costs if all of the following apply:

17 **SECTION 3322.** 560.04 of the statutes is repealed.

18 **SECTION 3323.** 560.045 of the statutes is repealed.

19 **SECTION 3324.** 560.047 of the statutes is repealed.

20 **SECTION 3325.** 560.05 of the statutes is repealed.

21 **SECTION 3326.** 560.07 of the statutes is repealed.

22 **SECTION 3327.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2),
23 as renumbered, is amended to read:

24 238.12 (2) The ~~department~~ corporation may not award a grant or loan under
25 this chapter to a person or certify a person to receive tax benefits unless the

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

7 **SECTION 3328.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j)
8 of the statutes are repealed.

9 **SECTION 3329.** 560.08 (2) (m) of the statutes is renumbered 238.26 and
10 amended to read:

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

15 **SECTION 3330.** 560.081 of the statutes is repealed.

16 **SECTION 3331.** 560.082 of the statutes is repealed.

17 **SECTION 3332.** 560.09 of the statutes is repealed.

18 **SECTION 3333.** 560.097 of the statutes is renumbered 238.15 and amended to
19 read:

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

23 **SECTION 3334.** 560.11 of the statutes is repealed.

24 **SECTION 3335.** 560.125 (title) and (1) to (3) of the statutes are renumbered
25 101.45 (title) and (1) to (3).

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1 **SECTION 3336.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4)
2 (a) to (e), and 101.45 (4) (d), as renumbered, is amended to read:

3 101.45 (4) (d) In any fiscal year, the department may not pay to any one
4 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
5 20.165 (2) (sm) for the fiscal year.

6 **SECTION 3337.** 560.125 (4) (f) and (g) of the statutes are repealed.

7 **SECTION 3338.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to
8 (6).

9 **SECTION 3339.** 560.126 of the statutes is repealed.

10 **SECTION 3340.** 560.128 of the statutes is repealed.

11 **SECTION 3341.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered
12 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and
13 (f) and (5), as renumbered, are amended to read:

14 238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
15 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if
16 all of the following apply:

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

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

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

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

4 **SECTION 3342.** 560.13 (4) of the statutes is repealed.

5 **SECTION 3343.** 560.13 (6) of the statutes is repealed.

6 **SECTION 3344.** 560.138 of the statutes is repealed.

7 **SECTION 3345.** 560.139 of the statutes is repealed.

8 **SECTION 3346.** 560.145 of the statutes is repealed.

9 **SECTION 3347.** 560.15 of the statutes is repealed.

10 **SECTION 3348.** 560.155 of the statutes is repealed.

11 **SECTION 3349.** 560.157 of the statutes is repealed.

12 **SECTION 3350.** 560.165 of the statutes is repealed.

13 **SECTION 3351.** 560.167 of the statutes is repealed.

14 **SECTION 3352.** 560.17 of the statutes is repealed.

15 **SECTION 3353.** 560.19 of the statutes is repealed.

16 **SECTION 3354.** 560.203 of the statutes is repealed.

17 **SECTION 3355.** 560.204 of the statutes is renumbered 238.14 and amended to
18 read:

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

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

23 (2) If the ~~department~~ corporation certifies a health care provider under sub.
24 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to

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

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

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

8 **SECTION 3356.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1)
9 (intro.), (2) and (3) (a), (b), (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are
10 amended to read:

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

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

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

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

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

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

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

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

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

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

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

15 **SECTION 3357.** 560.2055 (title) and (1) of the statutes are renumbered 238.16
16 (title) and (1).

17 **SECTION 3358.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and
18 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

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

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

23 **SECTION 3359.** 560.2055 (3) (intro.) and (c) of the statutes are renumbered
24 238.16 (3) (intro.) and (c) and amended to read:

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SECTION 3359

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

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

11 **SECTION 3360.** 560.2055 (3) (a) of the statutes is repealed.

12 **SECTION 3361.** 560.2055 (3) (b) of the statutes is repealed.

13 **SECTION 3362.** 560.2055 (4) (title) and (a) of the statutes are renumbered
 14 238.16 (4) (title) and (a).

15 **SECTION 3363.** 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16
 16 (4) (b) 1. and amended to read:

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

22 **SECTION 3364.** 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

23 **SECTION 3365.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16
 24 (4) (b) 2. and (c) and amended to read:

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

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

8 **SECTION 3366.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and
9 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are
10 amended to read:

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

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

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

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

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

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

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

7 **SECTION 3367.** 560.2056 of the statutes is renumbered 238.17 and amended to
8 read:

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

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

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

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

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

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1 **SECTION 3368.** 560.206 of the statutes is renumbered 41.155, and 41.155 (4),
2 as renumbered, is amended to read:

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

5 **SECTION 3369.** 560.207 of the statutes is renumbered 93.535 and amended to
6 read:

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

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

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

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

6 **SECTION 3370.** 560.208 of the statutes is renumbered 238.19 and amended to
7 read:

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

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

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

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

24 **SECTION 3371.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1)
25 (intro.), (2) and (3), as renumbered, are amended to read:

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

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

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

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

18 **SECTION 3372.** 560.209 of the statutes is renumbered 238.21 and amended to
19 read:

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

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

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

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

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

12 **SECTION 3373.** 560.21 of the statutes is repealed.

13 **SECTION 3374.** 560.25 of the statutes is repealed.

14 **SECTION 3375.** 560.255 of the statutes is repealed.

15 **SECTION 3376.** 560.27 of the statutes is repealed.

16 **SECTION 3377.** 560.275 of the statutes is repealed.

17 **SECTION 3378.** 560.276 of the statutes is repealed.

18 **SECTION 3379.** 560.277 of the statutes is repealed.

19 **SECTION 3380.** 560.28 of the statutes is repealed.

20 **SECTION 3381.** 560.285 of the statutes is repealed.

21 **SECTION 3382.** 560.29 of the statutes is repealed.

22 **SECTION 3383.** Subchapter II (title) of chapter 560 [precedes 560.30] of the
23 statutes is repealed.

24 **SECTION 3384.** 560.30 of the statutes is repealed.

25 **SECTION 3385.** 560.301 of the statutes is repealed.