



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3778/PI
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WFO - please run compare program

Autorep

DN

, RCT, MES, Gmm,
PSK, ISR, JK,
MSL

regenerate

1 AN ACT to repeal 20.255 (3) (er); to amend 38.15 (3) (c) 3. and 4., 49.1475, 49.157,
2 66.462 (1) (c), 66.462 (2), 71.05 (6) (a) 15., 71.08 (1) (intro.), 71.21 (4), 71.26 (2)
3 (a), 71.28 (1dx) (b) 1., 71.34 (1) (g), 71.45 (2) (a) 10., 77.92 (4), 281.60 (2r) (a),
4 292.15 (2) (at) (intro.) and 6., 292.24 (title), (2) (intro.), (a), (b), (c), (f), (g) and
5 (3) (a) to (c), 292.26 (2) (intro.), 560.14 (4m) (a) (intro.) and 560.33 (1) (c); and
6 to create 20.255 (2) (dr) and (3) (er), 38.04 (27), 38.12 (12), 49.143 (2) (a) 11.,
7 49.143 (2) (er), 49.175 (1) (nm), 71.07 (5r), 71.10 (4) (k), 71.28 (1dx) (b) 1m., 71.28
8 (1dx) (f), 71.28 (5r), 71.30 (3) (g), 71.47 (5r), 71.49 (1) (g), 106.01 (11), 115.28 (42),
9 115.455, 292.11 (14), 292.15 (2) (at) 7., 292.15 (8), 292.31 (11), 560.14 (4m) (c),
10 560.25, 560.31 (2) (g) and 560.34 (1r) of the statutes; relating to: job retention
11 programs; productivity enhancement training tax credit; applied technology
12 centers; ~~amending~~ the certified capital company program ^{promoting} and providing for the
13 development of ~~and grants to~~ multi-state venture capital development
14 and the environmental remediation tax incremental financing district
15 immersion instruction grant and Wisconsin world geography fund; low-income

program

establishing

granting rule-making authority

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transportation assistance; an advanced journey worker pilot program and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

bill

PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on state strategies for economic development.

The draft makes numerous changes to state laws in a variety of subject matters. Among other things, the draft does the following:

- Creates a statewide job retention skills development program within the technical college system.
- Provides a business tax credit for expenses incurred by a business to provide certain training to the business's ~~incumbent work force~~ employees
- Modifies the technical college district board applied technology center program to allow full use of donated funds and to extend the sunset date of the program.
- Modifies the certified capital companies (CAPCO) program.
- Expands the scope of the state's venture capital fair grant program.
- Establishes a foreign language immersion ~~grant~~ grant program within the department of public instruction (DPI).
- Appropriates \$500,000 for the establishment of the Wisconsin world geography fund.
- Provides additional emphasis on transportation under the Wisconsin Works (W-2) program by expanding eligibility for W-2 transportation, requiring the establishment of local W-2 transportation advisory committees and requiring W-2 agencies to account for their W-2 related transportation expenditures.
- Requires the department of workforce development (DWD) to create an advanced journeyworker credential pilot program.
- Modifies a number of provisions of state law relating to brownfields and environmental remediation tax incremental finance districts.

bill

permits

establish

make available to all employers in the district

The provisions of the draft are more fully explained below.

Job Retention Skills Development Program

district

bill

This draft requires ^{each} the technical college ~~system~~ board ~~(the board)~~ to establish a statewide job retention skills development program to assist employers to retain new employees, build the job skill levels of those employees and assist those employees to attain higher wages and long-term careers. Under the draft, the program must be available to all employers in the state and to the extent practicable, must be provided at employment sites.

the program



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10 560.25, 560.31 (2) (g) and 560.34 (1r) of the statutes; relating to: job retention
11 programs; productivity enhancement training tax credit; applied technology
12 centers; ~~amending~~ the certified capital company program and ~~providing~~ ^{promoting} for the
13 development of ~~seed grants to~~ multi-state venture capital development
14 and the environmental remediation tax incremental financing district
15 conferences; amending the brownfield laws; creating a foreign language
immersion instruction grant and Wisconsin world geography fund; low-income

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transportation assistance; ^{establishing} an advanced journey worker pilot program and

2

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granting rule-making authority

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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PREFATORY NOTE: This ~~draft~~ ^{bill} was prepared for the joint legislative council's special committee on state strategies for economic development.

The ~~draft~~ makes numerous changes to state laws in a variety of subject matters. Among other things, the ~~draft~~ does the following:

- Creates a statewide job retention skills development program within the technical college system.
- Provides a business tax credit for expenses incurred by a business to provide certain training to the business's ~~incumbent workforce~~ ^{employees}.
- Modifies the technical college district board applied technology center program to allow full use of donated funds and to extend the sunset date of the program.
- Modifies the certified capital companies (CAPCO) program.
- Expands the scope of the state's venture capital fair grant program.
- Establishes a foreign language immersion ~~instruction~~ grant program within the department of public instruction (DPI).
- Appropriates \$500,000 for the establishment of the Wisconsin world geography fund.
- Provides additional emphasis on transportation under the Wisconsin Works (W-2) program by expanding eligibility for W-2 transportation, requiring the establishment of local W-2 transportation advisory committees and requiring W-2 agencies to account for their W-2 related transportation expenditures.
- ~~Requires~~ the department of workforce development (DWD) to ~~create~~ ^{establish} an advanced journeyworker credential pilot program.
- Modifies a number of provisions of state law relating to brownfields and environmental remediation tax incremental finance districts.

bill

Permits

The provisions of the ~~draft~~ are more fully explained below.

Job Retention Skills Development Program

district

bill

This ~~draft~~ ^{bill} requires ^{each} the technical college ~~system~~ board ~~to establish~~ a statewide job retention skills development program to assist employers to retain new employees, build the job skill levels of those employees and assist those employees to attain higher wages and long-term careers. ~~Under the draft, the program must be available to all employers in the state and~~ ^{the program} to the extent practicable, must be provided at employment sites.

make available to all employers in the district

The program must emphasize job retention ^{and} skills development for employees with incomes at or below 200% of the federal poverty line who are current or former recipients of public assistance, employees in the first ^{six} months of employment with their employer and entry-level employees. ^{state technical college system} ^(the board)

In establishing the program, the board must consult with employers, technical college district boards, W-2 agencies, local units of government and labor organizations. The program must include elements relating to the skills needed to show up for work on time, to work effectively in a team, to communicate with supervisors and coworkers and to solve basic job-related personal and interpersonal problems.

The ~~draft~~ requires the board, in consultation with employers, district boards and the department of workforce development, to develop standards to assess the job retention skills competencies of participants before and after participation in the program. The program sunsets on December 31, 2004. ^{bill}

Further, the ~~draft~~ requires technical college district boards ⁱⁿ to assist employers ^{bill} providing ongoing job retention skills development and reinforcement activities in the work place. The ~~draft~~ also allows district boards to charge employers a fee for the program and services offered to employers. ^{bill} The ~~draft~~ directs \$200,000 of federal temporary assistance for needy families block grant funds to be used to implement the program. ^{Lis}

Finally, the ~~draft~~ requires W-2 agencies to provide case management services to individuals that move from W-2 employment positions to unsubsidized employment and coordinate those services with the job retention skills development program. [SECTIONS 4, 9, 11 and 18(2)]. ^{bill}

Productivity Enhancement Training Expense Tax Credit

This ~~draft~~ provides a nonrefundable business tax credit for expenses ^{employees} made by a business to provide certain training to the business's ^{incurred} incumbent work force. The credit equals 100% of the business's certified training expenses, up to a maximum of \$7,500 per year. Eligible training expenses include up to \$2,000 incurred for pre-training assessment and consultation services. The credit may not be claimed for amounts deducted by the business under the Internal Revenue Code as ordinary and necessary business expenses. Unused credits may be carried forward for up to 15 years. Under the ~~draft~~, sole proprietorships, corporations and insurers may claim the credit. Partnerships, limited liability companies and tax option corporations compute the credit but pass it on to the partners, members and shareholders in proportion to their ownership interests. ^{bill}

The purpose of the credit is to encourage businesses to provide training to their ^{employees} incumbent work force to improve ^{to} that work force's productivity and promote and provide workers for high-skill and high-wage jobs.

To qualify for the credit, the department of commerce must certify the business's productivity enhancement training expenses. To be eligible to have its expenses certified, the business must submit to the department of commerce a productivity enhancement training plan ^{designed to} which will (1) increase the incumbent work force's productivity; and (2) result in the work force holding higher skilled jobs and higher paying jobs. In addition, the business must receive pre-training needs assessment and consultation from an experienced provider of productivity assessments, as approved by the department of commerce. Finally, the business must submit an accounting of its productivity enhancement training expenses so that the department of commerce may determine if the expenses were incurred under the training plan. ^{employee}

Each business that has its expenses certified and that claims the tax credit must report to the department of commerce, by March 1 of the year ^{on} after receiving the certification, on the results of its productivity enhancement training and its success in ^{the business receives}

employees holding jobs that require higher degrees of skill to perform and that pay higher wages than their current

case management services that are provided to W-2 participants who are unsubsidized employment ^{bill}

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No business may be certified for tax credits for any taxable year beginning after

meeting the goals established in its productivity enhancement training plan. The department is required to report to the legislature by December 1 annually on the effectiveness of the program.

The tax credit is available for tax years beginning on or after January 1, 2000 ~~and~~ ~~through~~ December 31, 2008. [SECTIONS 14, 19, 23, 29, 43 and 48 (3).]

Applied Technology Centers

Under current law, as created by 1999 Wisconsin Act 9, technical college district boards may expend up to \$5,000,000 for the purchase or construction of facilities to be used as applied technology centers without approval of voters in a referendum. To do so, the district board must adopt a resolution and gain the approval of the technical college system board. The approval process must be developed by the technical college system board in consultation with representatives of business and labor interests.

To gain approval, the district board must demonstrate all of the following:

1. That the proposed applied technology center is likely to increase or retain the number of jobs in the region that require a high level of skill and provide a high level of wages.
2. That the productivity of workers that would use the applied technology center is likely to increase.
3. That a commitment exists from businesses in the region to fund 30% of the capital costs of the applied technology center, 100% of the direct operating costs of services provided under a contract at the applied technology center and 20% of the indirect operating costs of services provided under a contract at the applied technology center.
4. That representatives of labor and business interests were consulted on the development of the proposed applied technology center.

The district board must report to the technical college system board on the changes in wages, productivity and skill levels of workers that have been directly served by the applied technology center.

Expenditures must be made ^{before} January 1, 2002.

The ~~draft~~ ^{bill} makes ~~2~~ changes to current law. First, the ~~draft~~ ^{bill} provides that the \$5,000,000 limit does not apply to gifts, grants or federal funds. Also, the ~~draft~~ ^{bill} extends the date by which expenditures may be made to December 31, 2002. [SECTION 6.]

CAPCO

1997 Wisconsin Act 215 ~~created~~ ^{was created by} the certified capital company (CAPCO) program. Under the program, an insurance company may receive a credit on its insurance premiums tax for its investments in a CAPCO if the CAPCO uses these funds from the insurer to invest as venture capital in designated small businesses in Wisconsin. These venture capital investments are referred to ~~as~~ ^{as} "qualified investments". The ~~draft~~ ^{bill} focuses ~~on~~ ^{on} qualified investments on supporting the creation and expansion of ~~start-up firms, i.e., providing seed capital~~ ^{new businesses,} rather than later stage financing, by doing the following:

1. ~~Lower~~ ^{lowering} the average annual net income of a qualified business that a CAPCO may invest in from \$2,000,000 to \$1,000,000.
2. ~~Excludes~~ ^{Precluding} a CAPCO's qualified investment from being used to replace existing sources of financing.
3. ~~Requires~~ ^{Requiring} a CAPCO to have professional staff based in the state to manage its investments in qualified businesses in Wisconsin to ensure that the CAPCO will be able to provide the direct assistance that a start-up ~~firm~~ ^{business} needs. [SECTIONS 44, 46 and 49 (3).]

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Current law generally requires a person who possesses or controls a hazardous substance that is discharged or who causes the discharge of a hazardous substance to restore the environment to the extent practicable and to minimize the harmful effects of the discharge on the environment. Current law generally exempts a local governmental unit from these clean-up requirements with respect to hazardous substance discharges on land acquired in specified ways, such as through tax delinquency proceedings and condemnation.

Current law, as amended by 1999 Wisconsin Act 9, exempts a local governmental unit that has acquired property in one of the specified ways from certain liability requirements with respect to the existence of a hazardous waste if, among other things, the waste is identified by an environmental investigation, the waste is cleaned up, the local unit of government maintains and monitors the property and does not engage in activities that are inconsistent with the maintenance of the property. The ~~draft~~ expands this exemption to cover the existence of solid waste, subject to the same conditions as apply to the existence of hazardous waste. [SECTION 38.] ^{LL} incurred

bill

• Provide Flexibility With Development Zone Tax Credits for Remediation

Under current law, a person may claim an income tax credit for up to 50% of the person's environmental remediation expenses ~~that occur~~ in a development zone. Under current law, the credit may not be transferred between persons, and a municipality or nonprofit organization that engages in remedial remediation activities in a development zone may not claim a credit.

bill

This ~~draft~~ provides that any person eligible to claim a credit for remediation expenses incurred in a development zone may transfer to any other person subject to taxation in Wisconsin ~~the right to claim the credit~~. In addition, the ~~draft~~ provides that a person may claim a credit for 50% of the amount expended by a municipality or a tax-exempt or nonprofit organization for environmental remediation in a development zone if the municipality or organization has entered into an exclusive written agreement with the person claiming the credit. The ~~draft~~ requires the department of revenue (DOR) to promulgate rules implementing the credit transfer provisions. [SECTIONS 205.22 and 48 (4).]

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• Modify the ~~DNR~~ Land Recycling Loan Program

Under the land recycling loan program, the state provides loans to cities, villages, towns and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water.

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The ~~draft~~ provides that land recycling loans may not be made for the purpose of refinancing site investigations. [SECTION ~~33~~ "gg"]

bill

• Modify Environmental Remediation Tax Incremental Financing District

Under current law, a city, village, town or county (political subdivision) may create an environmental remediation tax incremental district (ERTID) to defray the costs of remediating contaminated property that is owned by the political subdivision. The mechanism for financing costs that are eligible for remediation is very similar to the mechanism under the tax incremental financing (TIF) program. If the remediated property is transferred to another person and is then subject to property taxation, environmental remediation (ER) tax incremental financing may be used to allocate some of the property taxes that are levied on the property to the political subdivision to pay for the costs of remediation.

Under current law, as amended by 1999 Wisconsin Act 9, "eligible costs" include capital costs, financing costs and certain administrative and professional service costs

payments of natural resources

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incurred for the investigation, removal, containment or monitoring of, the environment affected by, environmental pollution, property acquisition costs and demolition costs. The ~~draft~~ expands "eligible costs" to include the cancellation of delinquent taxes.

Also, if the property that is being remediated is sold by a political subdivision, the ~~draft~~ prohibits it from being sold or transferred to any person who is responsible for the environmental pollution that is remediated. [SECTIONS 12, 13 and 48 (1).]

Current law, as amended by 1999 Wisconsin Act 9, provides that a voluntary party is not liable with respect to a ~~subsequent~~ discharge of a hazardous substance on or originating from a property if the discharge occurred before an environmental investigation is complete, and if certain other requirements are met. Those other requirements include: an environmental investigation is conducted and is approved by the DNR; the voluntary party enters into a cleanup agreement with the DNR, if required by the DNR; the voluntary party obtains and maintains insurance to cover the costs of restoring the environment; a ~~2nd~~ discharge that occurred before the investigation is completed, is discovered after the investigation is approved and before the original cleanup, if regulated by the DNR, is complete. The ~~draft~~ modifies these requirements to exempt from liability voluntary parties who discover a subsequent discharge after doing all of the above and after conducting a ~~2nd~~ environmental investigation and having it approved by the DNR. Thus, under the ~~draft~~, a voluntary party is exempt from the requirements to clean up ~~any~~ subsequent hazardous substance discharge discovered after the ~~2nd~~ environmental investigation is approved.

but was not discovered in the course of that investigation

• Expand the Liability Protections for Local Units of Government

Generally, current law provides that a local governmental unit is immune from civil liability for a discharge of a hazardous substance on or from property formerly owned or controlled by the local governmental unit if the property is no longer owned by the local governmental unit at the time that the discharge is discovered and if the property was acquired by the local governmental unit in certain ways. Those ways include the acquisition of the property through tax delinquency proceedings, as the result of an order of a bankruptcy court, through condemnation or in pursuit of slum clearance or blight elimination.

The ~~draft~~ expands this immunity to property acquired in these ways that is still owned or controlled by the local unit of government at the time the discharge is discovered. [SECTIONS 35, 36 and 39.]

• Require Use of Natural Attenuation in Area-Wide Groundwater Approaches and Consideration of Groundwater Use in Conducting Cleanups

Current law gives the DNR authority to promulgate administrative rules governing brownfields cleanup. Under current administrative rules, one of the criteria for case closure approval in a situation in which hazardous substance discharges into groundwater exceed enforcement standards or preventive action limits is that, among other things, groundwater contamination exceeding those standards or limits will not migrate beyond the boundaries of the property or properties for which groundwater use restrictions have been recorded.

Under the ~~draft~~, when determining the criteria for closure of a case involving groundwater contamination exceeding enforcement standards or preventive action limits, DNR is required to consider institutional controls, including municipal ordinances, that provide adequate notice to the public of groundwater contamination in the area affected by the groundwater contamination to be equivalent to recorded groundwater use restrictions. [SECTIONS 34, 37 and 40.]

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SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert

2 the following amounts for the purposes indicated:

3 1999-00 2000-01

4 20.255 Public Instruction

5 (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

6 (dr) Foreign language immersion

7 ~~instruction~~ grants GPR/A \$350,000 \$750,000

8 (3) AIDS TO LIBRARIES, INDIVIDUALS AND

9 ORGANIZATIONS

10 (er) Wisconsin world geography fund GPR/A \$500,000

11 SECTION 2. 20.255 (2) (dr) ~~Foreign language immersion~~ of the statutes ~~are~~ created to read:

12 20.255 (2) (dr) Foreign ~~instruction~~ grants. The amounts in the schedule for

13 foreign language immersion ~~instruction~~ grants under s. 115.455.

14 20.255 (3) (er) Wisconsin world geography fund. The amounts in the schedule for a grant for the Wisconsin world geography fund under s. 115.28 (4).

15 SECTION 3. 20.255 (3) (er) of the statutes, as affected by 1999 Wisconsin Act.

16 (this Act) is repealed.

17 SECTION 4. 38.01 (2)(a) of the statutes is created to read:

18 38.01 (2)(a) JOB RETENTION SKILLS DEVELOPMENT PROGRAMS. ~~IN~~ order to assist

19 employers to retain new employes, build job skill levels of those employes and assist

20 those employes in attaining higher wages and long-term careers, ~~the board shall~~

21 ~~establish and supervise training programs for employes in basic job retention skills~~

22 ~~development~~

No moneys may be encumbered under this paragraph after June 30, 2001.

NS. ROOM 7-11

INS. 9-18

23

SECTION 4

The district board shall

1 ~~(w/ff)~~ ~~The program under paragraph (1) shall be available to all employers in the state~~
2 ~~and~~ to the extent practicable, ~~shall be offered~~ ^{of the program} at employment sites.)

3 ~~(w/ff)~~ ~~The program shall emphasize job retention skills development for employes~~
4 with gross incomes at or below 200% of the poverty line, as defined in s. 49.001 (5),
5 who are any of the following:

6 (a) ~~is~~ Current or former recipients of public assistance, including participants in
7 W-2 employment positions under s. 49.147.

8 (b) ~~is~~ Employes within the first 6 months of employment with their employer.

9 (c) ~~is~~ Entry-level employes.

10 ~~The~~ ^{FNS. 10-10} board shall determine the length and content of the program ~~offered~~
11 ~~under paragraph (1)~~ after consultation with employers, district boards, W-2 agencies, local
12 units of government and labor organizations.

13 (2) The program shall ~~include~~ ^{skills} the
14 following ~~elements~~ ^{provide training in all of}

15 (a) ~~is~~ Skills needed to achieve punctuality and consistency in attendance at
16 employment.

17 (b) ~~is~~ Skills needed to effectively work in a team.

18 (c) ~~is~~ Skills needed to effectively communicate with supervisors and coworkers.

19 (d) ~~is~~ Skills ^{needed to solve} ~~necessary for solving~~ basic workplace-related personal and
20 interpersonal problems.

21 (b) ~~The board~~ in consultation with employers, district boards and the
22 department of workforce development, ^{the board} shall develop standards ^{for assessing the} ~~to assess~~ job
23 retention ~~and~~ ^{competencies of participants} skills before and after ^{their} participation
24 in the program.

25 ~~This subsection shall not apply after December 31, 2004.~~

~~SECTION 5. 38.17 (12) of the statutes is created to read:~~

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~~38.12(12) JOB RETENTION SKILLS PROGRAMS (a) The district board shall make available to all employers in the district a job retention skills program as described in ~~§ 38.04(27)~~ (subs. (1) and (2))~~

(4) (a) To the extent practicable, the district board shall assist employers in providing ongoing job retention skills development and reinforcement activities in the workplace.

(b) The district board may charge employers a fee for the program and services offered under this section.

(5) This section does not apply after December 31, 2004.

SECTION 38.15 (3) (c) 3. and 4. of the statutes, as created by 1999 Wisconsin Act 9, are amended to read:

38.15 (3) (c) 3. The capital expenditure is made before ~~January 1, December 31, 2002.~~ 2003

4. The total amount of capital expenditures made by the district board under this paragraph does not exceed \$5,000,000, excluding moneys received from gifts, grants or federal funds.

SECTION 49.143 (2) (a) 11 of the statutes is created to read:

49.157 (2) Establish an advisory committee on transportation strategies and planning consisting of local transit or transportation providers, employers, child care providers, a representative of a community organization that serves participants, a representative of a Wisconsin works agency and other persons considered appropriate by the steering committee to make recommendations to the steering committee on ways to provide affordable and sufficient transportation options to low-income workers to access employment opportunities, child care services and other services conducive to stable employment.

A community steering committee established under s. 49.143 (2) (a) shall

move to P-9

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49.157 (2)

The advisory committee shall consist

The advisory committee shall

to enable the workers

move to P. 13

49-157 (3)

SECTION 8 ~~49.143 (2) (a)~~ of the statutes is created to read:
 49.157 (3) A Wisconsin works agency shall,
~~49.143 (2) (a)~~ Provide to the department an accounting of the amount
 expended on Wisconsin works-related transportation services in each year of the
 agency's contract in a manner prescribed by the department.

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SECTION 9 49.1475 of the statutes, as created by 1999 Wisconsin Act 9, is amended to read: auto-ref "i"

49.1475 Follow-up services. Following any follow-up period required by the contract entered into under s. 49.143, a Wisconsin works agency may shall provide case management services for an individual who moves from a Wisconsin works employment position to unsubsidized employment to help the individual retain the unsubsidized employment. Case management services may include the provision of employment skills training; English as a 2nd language classes, if the Wisconsin works agency determines that the course will facilitate the individual's efforts to retain employment; a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation; or other remedial education courses. A Wisconsin works agency shall coordinate

~~Case management services shall be coordinated~~ with a program offered by a technical college under s. ~~38.34~~ ³⁸⁻³⁴ The Wisconsin works agency may provide case management services regardless of the individual's income and assets levels.

SECTION 10 ^{auto-ref "j"} 49.157 of the statutes is amended to read: ^{renumbered 49.157 (1) and}

49.157 ~~Wisconsin works; transportation assistance~~ A Wisconsin works agency may provide transportation assistance in the manner prescribed by the department. In addition to any other eligibility criteria established by the department, an individual is eligible for transportation assistance if the gross income of the Wisconsin works group of which the individual is a member is at or

WPO use for comparison

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below 165% of the poverty line. In calculating gross income under this ~~section~~ ^{subsection} the Wisconsin works agency shall include the items specified in s. 49.145 (3) (b) 1. ~~and~~ ^{and}.

A noncustodial parent of a dependent child is eligible for transportation assistance under this ^{sub}section if the dependent child's custodial parent is a participant and if the noncustodial parent is subject to a child support order. The Wisconsin works agency shall limit any financial assistance granted under this subsection to financial assistance for public transportation if a form of public transportation that meets the needs of the participant is available.

SECTION ^{auto-ref "k" ✓ ZP} 49.175 (1) ~~(m)~~ of the statutes is created to read:

49.175 (1) ^{ZP} ~~(m)~~ Job retention skills development programs. For ~~payments to~~ ^{the transfer of moneys to} the Wisconsin technical college system board for ~~implementation costs of the~~ ^{implementation costs of the} job retention skills development program ^s under s. ~~88.04 (2)(b)~~ ³⁸⁻³⁴ \$200,000 in fiscal year 1999-2000.

SECTION ^{auto-ref "L" ✓} 66.462 (1) (c) of the statutes, as ^{affected} amended by 1999 Wisconsin Act 9, is amended to read:

66.462 (1) (c) "Eligible costs" means capital costs, financing costs and administrative and professional service costs, incurred or estimated to be incurred by a political subdivision, for the investigation, removal, containment or monitoring of, or the restoration of soil, air, surface water, sediments or groundwater affected by, environmental pollution, including monitoring costs incurred within 2 years after the date on which the department of natural resources certifies that environmental pollution on the property has been remediated, ~~cancellation of delinquent taxes~~ [✓], property acquisition costs, demolition costs including asbestos removal, and removing and disposing of underground storage tanks or abandoned containers, as defined in s. 292.41 (1), except that for any parcel of land "eligible costs" shall be

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1 reduced by any amounts received from persons responsible for the discharge, as
 2 defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs
 3 of remediating environmental pollution on the property, by any amounts received,
 4 or reasonably expected by the political subdivision to be received, from a local, state
 5 or federal program for the remediation of contamination in the district that do not
 6 require reimbursement or repayment and by the amount of net gain from the sale
 7 of the property by the political subdivision. "Eligible costs" associated with
 8 groundwater affected by environmental pollution include investigation and
 9 remediation costs for groundwater that is located in, and extends beyond, the
 10 property that is being remediated.

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 SECTION 13. 66.462 (2) of the statutes, as ^{auto-ref "m"} amended by 1999 Wisconsin Act 9, ^{affected} is amended to read:
 renumbered 66.462 (2) (a) and

Section 1634A

13 66.462 (2) ^(a) ~~USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS~~ A political

14 subdivision that develops, and whose governing body approves, a written proposal
 15 to remediate environmental pollution may use an environmental remediation tax
 16 increment to pay the eligible costs of remediating environmental pollution on
 17 contiguous parcels of property that are located within the political subdivision and
 18 that are not part of a tax incremental district created under s. 66.46, as provided in
 19 this section, except that a political subdivision may use an environmental
 20 remediation tax increment to pay the cost of remediating environmental pollution
 21 of groundwater without regard to whether the property above the groundwater is
 22 owned by the political subdivision. If the political subdivision owns the property that
 23 is being remediated, the political subdivision may not sell or otherwise transfer the
 24 property to any person who is responsible for the environmental pollution that is
 25 remediated. No political subdivision may submit an application to the department

1 under sub. (4) until the joint review board approves the political subdivision's written
2 proposal under sub. (3).

3 SECTION 14. 71.05 (6) (a) 15. of the statutes is amended to read:

4 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
5 (2di), (2dj), (2dL), (2dr), (2ds), (2dx) and (3s) and (5r) not passed through by a
6 partnership, limited liability company or tax-option corporation that has added that
7 amount to the partnership's, company's or tax-option corporation's income under s.
8 71.21 (4) or 71.34 (1) (g).

9 SECTION 15. 71.07 (5r) of the statutes is created to read:

10 71.07 (5r) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. Any partner,
11 member of a limited liability company or a shareholder of a tax-option corporation
12 claim as a may credit against taxes otherwise due under ~~this chapter~~ s. 71.02 that is
13 of the amount of the partner's, member's or shareholder's productivity enhancement
14 training expenses certified by the department of commerce under s. 560.25 in the tax
15 year for which the expenses are certified, but that is not to exceed \$7,500.

16 (c) ~~(b)~~ The carry forward provisions of s. 71.28 (5r) ~~(b)~~ and (f) as they apply to the
17 credit under s. 71.28 (5r) apply to the credit under this subsection.

18 (d) ~~(c)~~ A partner, member of a limited liability company or a shareholder of a
19 tax-option corporation may not claim the credit under par. ~~(a)~~ for any productivity
20 enhancement training expenses that the partner, member or shareholder deducted
21 from gross income for Wisconsin ^{tax} purposes under section 162 of the Internal Revenue
22 Code.

23 (e) ~~(d)~~ Partnerships, limited liability companies and tax-option corporations may
24 not claim the credit under this subsection, but the eligibility for, and the amount of,
25 the credit are based on their productivity enhancement training expenses certified

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1 under s. 560.24⁷ A partnership, limited liability company or tax-option corporation
 2 shall compute the amount of credit that each of its partners, members or
 3 shareholders may claim and shall provide that information to each of them.
 4 Partners, members of limited liability companies and shareholders of tax-option
 5 corporations may claim the credit in proportion to their ownership interest.

6 (e) In this subsection, "productivity enhancement training expenses" means
 7 expenses certified under s. 560.25 of a partnership, limited liability company or
 8 tax-option corporation in providing training which is designed to improve the
 9 productivity of the partnership's limited liability company's or tax-option
 10 corporation's incumbent work force and promote or provide workers for high-skill,
 11 high-wage jobs. "Productivity enhancement training expenses" includes expenses
 12 incurred for assessment and consultation under s. 560.25 (4) (b), not to exceed
 13 \$2,000.

14 (f) No credit may be taken under this subsection for ^{taxable years beginning} ~~any tax year that begins~~
 15 after December 31, 2008.

16 SECTION 16. 71.08 (1) (intro.) of the statutes is amended to read:

17 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
 18 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
 19 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (3s), (6) and
 20 (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and (5r) and
 21 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and (5r) and
 22 subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the
 23 tax under this section, there is imposed on that natural person, married couple filing
 24 jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax
 25 computed as follows:

1 SECTION 17. 71.10 (4) (k) of the statutes is created to read:

2 71.10 (4) (k) Productivity enhancement training credit under s. 71.07 (5r).

3 SECTION 18. 71.21 (4) of the statutes is amended to read:

4 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
5 (2dj), (2dL), (2ds), (2dx) and (3s) and (5r) and passed through to partners shall be
6 added to the partnership's income.

7 SECTION 19. ^{auto-ref "S"} 71.26 (2) (a) of the statutes is amended to read:

8 71.26 (2) (a) *Corporations in general.* The "net income" of a corporation means
9 the gross income as computed under the ~~internal revenue code~~ Internal Revenue
10 Code as modified under sub. (3) minus the amount of recapture under s. 71.28 (1di)
11 plus the amount of credit computed under s. 71.28 (1) and (3) to (5) plus the amount
12 of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) and (1dx)
13 and (5r) and not passed through by a partnership, limited liability company or
14 tax-option corporation that has added that amount to the partnership's, limited
15 liability company's or tax-option corporation's income under s. 71.21 (4) or 71.34 (1)
16 (g) plus the amount of losses from the sale or other disposition of assets the gain from
17 which would be wholly exempt income, as defined in sub. (3) (L), if the assets were
18 sold or otherwise disposed of at a gain and minus deductions, as computed under the
19 ~~internal revenue code~~ Internal Revenue Code as modified under sub. (3), plus or
20 minus, as appropriate, an amount equal to the difference between the federal basis
21 and Wisconsin basis of any asset sold, exchanged, abandoned or otherwise disposed
22 of in a taxable transaction during the taxable year, except as provided in par. (b) and
23 s. 71.45 (2) and (5).

24 SECTION 20. ^{auto-ref "t"} 71.28 (1dx) (b) 1. of the statutes is amended to read:

1 71.28 (1dx) (b) 1. Fifty percent of the amount expended by the person for
2 environmental remediation in a development zone.

3 SECTION 21. 71.28 (1dx) (b) 1m. of the statutes is created to read:

4 71.28 (1dx) (b) 1m. Fifty percent of the amount expended by a municipality, as
5 defined in s. 292.01 (11), or an organization that is exempt from federal income
6 taxation under section 501 (c) (3) of the Internal Revenue Code for environmental

7 remediation in a development zone, if the municipality or organization has entered
8 into an exclusive written agreement with the person claiming the credit that
9 approves of the person claiming the credit based on the expenditures of the

10 municipality or organization. The department shall promulgate rules to implement
11 this subdivision. *the right to claim the credit under par. (b) 1.*

12 SECTION 22. 71.28 (1dx) (f) of the statutes is created to read:

13 71.28 (1dx) (f) Transfer of credits. Any person ^{who is} eligible to claim credit under par.
14 (b) 1. may transfer to any other person ^{who is} subject to taxation under this chapter ~~the~~

15 ~~right to claim the credit under par. (b) 1.~~ The department shall promulgate rules
16 ~~governing the transfer of credits under this paragraph.~~ ^{to implement}

17 SECTION 23. 71.28 (5r) of the statutes is created to read:

18 71.28 (5r) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. ^(b) Any corporation
19 may ^{claim as a} credit against taxes otherwise due under ^{s. 71.23} this chapter ^{that is} an amount equal to 100%

20 of the amount of the corporation's productivity enhancement training expenses
21 certified by the department of commerce under s. 560.25 in the tax year for which the
22 expenses are certified, ^{but that is} not to exceed \$7,500.

23 (c) ~~(b)~~ Any corporation receiving a credit under this subsection may carry forward
24 to the next succeeding 15 taxable years the amount of the credit not offset against

1 taxes for the year in which the productivity enhancement training expenses were
 2 incurred.

3 (d) ~~is~~ A corporation may not claim the credit under par. (a) ^b for any productivity
 4 enhancement training expenses that the corporation deducted from gross income for
 5 Wisconsin ^{tax} purposes under section 162 of the Internal Revenue Code.

6 (e) ~~is~~ Partnerships, limited liability companies and tax-option corporations may
 7 not claim the credit under this subsection, but the eligibility for, and the amount of,
 8 the credit ~~are~~ ^{is} based on their productivity enhancement training expenses certified
 9 under s. 560.25. A partnership, limited liability company or tax-option corporation
 10 shall compute the amount of credit that each of its partners, members or
 11 shareholders may claim and shall provide that information to each of them.
 12 Partners, members of limited liability companies and shareholders of tax-option
 13 corporations may claim the credit in proportion to their ownership interest.

14 (e) In this subsection, "productivity enhancement training expenses" means
 15 expenses certified under s. 560.25 of a corporation in providing training which is
 16 designed to improve the productivity of a corporation's incumbent work force and
 17 promote or provide workers for high-skill, high-wage jobs. "Productivity
 18 enhancement training expenses" includes expenses incurred for assessment and
 19 consultation under s. 560.25 (4) (b), not to exceed \$2,000.

20 (f) No credit may be taken under this subsection for ^{taxable years beginning} ~~for tax year that begins~~
 21 after December 31, 2008. Credits under this subsection ^{that are claimed} ~~for taxable years that begin~~
 22 before December 31, 2008 may be carried forward to taxable years ^{beginning} ~~that begin~~ after
 23 December 31, 2008.

24 SECTION 24. 71.30 (3) (g) of the statutes is created to read:
 25 71.30 (3) (g) Productivity enhancement ^{training} credit under s. 71.28 (5r).

SECTION 25. 71.34 (1) (g) of the statutes is amended to read:

71.34 (1) (g) An addition shall be made for credits computed by a tax-option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) and (3) and (5r) and passed through to shareholders.

SECTION 26. 71.45 (2) (a) 10. of the statutes is amended to read:

71.45 (2) (a) 10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1dd) to (1dx) and (5r) and not passed through by a partnership, limited liability company or tax-option corporation that has added that amount to the partnership's, limited liability company's or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (4) and (5).

SECTION 27. 71.47 (5r) of the statutes is created to read:

71.47 (5r) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. Any corporation may claim as a credit against taxes otherwise due under this chapter an amount equal to 100% of the amount of the corporation's productivity enhancement training expenses certified by the department of commerce under s. 560.25 in the tax year for which the expenses are certified, but that is not to exceed \$7,500.

(c) Any corporation receiving a credit under this subsection may carry forward to the next succeeding 15 taxable years the amount of the credit not offset against taxes for the year in which the productivity enhancement training expenses were incurred.

(d) A corporation may not claim the credit under par. (a) for any productivity enhancement training expenses that the corporation deducted from gross income for Wisconsin purposes under section 162 of the Internal Revenue Code.

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1 (e) ~~(e)~~ Partnerships, limited liability companies and tax-option corporations may
 2 not claim the credit under this subsection, but the eligibility for, and the amount of,
 3 the credit are based on their productivity enhancement training expenses certified
 4 under s. 560.25. A partnership, limited liability company or tax-option corporation
 5 shall compute the amount of credit that each of its partners, members or
 6 shareholders may claim and shall provide that information to each of them.
 7 Partners, members of limited liability companies and shareholders of tax-option
 8 corporations may claim the credit in proportion to their ownership interest.

9 (e) In this subsection, "productivity enhancement training expenses" means
 10 expenses certified under s. 560.25 of a corporation in providing training which is
 11 designed to improve the productivity of a corporation's incumbent work force and
 12 promote or provide workers for high-skill, high-wage jobs. "Productivity
 13 enhancement training expenses" includes expenses incurred for assessment and
 14 consultation under s. 560.25 (4) (b), not to exceed \$2,000.

15 (f) No credit may be taken under this subsection for ~~any tax year that begins~~ ^{taxable years beginning}
 16 after December 31, 2008. Credits under this subsection for taxable years ~~that begin~~ ^{that are claimed}
 17 before December 31, 2008 may be carried forward to taxable years ~~that begin~~ ^{beginning}
 18 after December 31, 2008.

19 SECTION 28. 71.49 (1) (g) of the statutes is created to read:

20 71.49 (1) (g) Productivity enhancement training credit under s. 71.47 (5r).

21 SECTION 29. 77.92 (4) of the statutes is amended to read:

22 77.92 (4) "Net business income", with respect to a partnership, means taxable
 23 income as calculated under section 703 of the ~~internal revenue code~~ Internal
 24 Revenue Code; plus the items of income and gain under section 702 of the ~~internal~~
 25 ~~revenue code~~ Internal Revenue Code; minus the items of loss and deduction under

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1 section 702 of the ~~internal revenue code~~ Internal Revenue Code; plus payments
 2 treated as not made to partners under section 707 (a) of the ~~internal revenue code~~
 3 Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di),
 4 (2dj), (2dL), (2dr), (2ds), (2dx) ~~and~~, (3s) ~~and~~ (5r); but excluding income, gain, loss and
 5 deductions from farming. "Net business income", with respect to a natural person,
 6 estate or trust, means profit from a trade or business for federal income tax purposes
 7 and includes net income derived as an employe as defined in section 3121 (d) (3) of
 8 the ~~internal revenue code~~ Internal Revenue Code.

9 SECTION 30. 106.01 (11) of the statutes is created to read:

10 106.01 (11) The department may establish an advanced journey worker
 11 credential pilot program in up to 3 trades, crafts or businesses to recognize advanced
 12 training and post^{ed} apprenticeship achievements. The department, by July 1, 2003,
 13 shall submit to the legislature under s. 13.172 (2) ~~to~~ an evaluation of the
 14 effectiveness of the program established under this subsection.

15 SECTION 31. 115.28 (4) of the statutes is created to read:

16 115.28 (4) ^{WISCONSIN} WISCONSIN WORLD GEOGRAPHY FUND. Enter into an agreement with
 17 the national geographic society education foundation ^{and the agreement does} to establish a Wisconsin world
 18 geography fund. ^{that does} The agreement must ~~do~~ all of the following:

19 (a) ~~Require~~ the national geographic society education foundation ~~to manage~~
 20 the fund

21 (b) Require ^s the state superintendent to award a grant of \$500,000 from the
 22 appropriation under s. 20.255 (3) (er) to the fund if the award is matched by ~~the~~
 23 ~~foundation~~ a grant from the National Geographic Society

Establishes a Wisconsin world geography fund to
 be managed by

By the department

1 (c) Require ~~that~~ ^{to} the income and appreciation of the fund be used to fund grants
 2 to educational programs ~~in the state~~ that improve the geographic literacy of ^{pupils} ~~students~~
 3 and teachers.

4 (d) Require ^{that} that, annually, the national geographic society education
 5 foundation submit to the state superintendent ~~the following~~ a financial
 6 ~~statement~~ ^{NDP} statement of the Wisconsin world geography fund account prepared by an
 7 independent auditor ^{and a}
 8 ^{NDP} ~~report~~ report on the recipients in the state who received a grant from the fund.

9 (e) Require ^{that} that if the state ceases to participate in the fund, or the national
 10 geographic society education foundation ceases to offer the fund, the state's
 11 contribution to the fund, along with any unexpended income or appreciation of the
 12 fund attributable to the state's contribution, be returned to the state.

13 ^{auto-ref "ff"} SECTION 32. 115.455 of the statutes is created to read:

14 **115.455 Foreign language ^{(b) immersion} ~~immersion~~ grants.** ~~Beginning~~ Beginning in the
 15 1999-00 ^{schools} fiscal year, the state superintendent shall award at least one grant in each
 16 ^{schools} fiscal year, on a competitive basis, to an educational organization or consortium of
 17 educational organizations for the development and implementation of a foreign
 18 language immersion ~~instruction~~ program in a public or private school in grades
 19 kindergarten to 6.

20 (2) The state superintendent shall award grants under sub. (1) from the
 21 appropriation under s. 20.255 (2) (dr).
 22 (3) The state superintendent shall promulgate rules defining "educational
 23 organization" for the purposes of this section.

24 ^{auto-ref "33"} SECTION 33. 281.60 (2r) (a) of the statutes, as ^{affected} ~~amended~~ by 1999 Wisconsin Act

25 9, is amended to read:

, as defined by the state superintendent by rule,

from the appropriation under s. 20.255 (2) (dr) ↑ dr

obligations incurred to conduct

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281.60 (2r) (a) Making loans for projects described in sub. (2) ~~to be used for~~ ~~not~~
~~be used~~ for the purpose of refinancing site investigations. *plain*

SECTION 34. 292.11 (14) of the statutes is created to read:

292.11 (14) In determining the criteria for closure of a case involving groundwater contamination exceeding enforcement standards or preventive action limits adopted by the department, the department shall consider institutional controls, including municipal ordinances, that provide adequate notice to the public of groundwater contamination in the area affected by the groundwater contamination to be equivalent to recorded groundwater use restrictions.

SECTION 35. 292.15 (2) (at) (intro.) and 6. of the statutes, as created by 1999 Wisconsin Act 9, are amended to read:

292.15 (2) (at) (intro.) *Discharges discovered after environmental investigations.* Except as provided in sub. (6) or (7), a voluntary party is exempt from ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to a discharge of a hazardous substance on or originating from a property if the discharge occurred before the environmental investigation under subd. 1. is completed and is discovered after the environmental investigation under subd. 7. is approved and if all of the following apply:

6. The voluntary party has not obtained approval of the investigation under subd 1. or 7. or the agreement under subd. 2. by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1. or 7.

SECTION 36. 292.15 (2) (at) 7. of the statutes is created to read:

5. After the discharge under subd. 4. is discovered,

1 292.15 (2) (at) ~~2nd~~ 2nd environmental investigation of the property is
2 conducted and is approved by the department.

3 SECTION 37. 292.15 (8) of the statutes is created to read:

4 292.15 (8) ^{auto-ref. "kk"} In determining the criteria for ^{issuing a certificate of completion;} ~~closure~~ of a case involving
5 groundwater contamination exceeding enforcement standards or preventive action
6 limits adopted by the department, the department shall consider institutional
7 controls, including municipal ordinances, that provide adequate notice to the public
8 of groundwater contamination in the area affected by the groundwater
9 contamination to be equivalent to recorded groundwater use restrictions.

10 SECTION 38. 292.24 (title), (2) (intro.), (a), (b), (c), (f), (g) and (3) (a) to (c) of the
11 statutes, as created by 1999 Wisconsin Act 9, are amended to read:

12 292.24 ^(title) Responsibility of local governmental units; hazardous ^{or solid} waste ^{7/3}
13 waste.

14 (2) EXEMPTION FROM LIABILITY. ^(intro.) Except as provided in sub. (3), a local
15 governmental unit is exempt from ss. 291.25 (1) to (5), 291.29 and 291.37, and rules
16 promulgated under those provisions, with respect to the existence of a hazardous ~~waste~~
17 ~~waste~~ ^{or solid waste} discharge on property acquired in a way or for a purpose described in s.
18 292.11 (9) (e) 1m., if all of the following occur at any time before or after the date of
19 acquisition:

20 (a) An environmental investigation of the property is conducted that is
21 approved by the department and that identifies any hazardous ~~waste~~ ^{or solid waste}
22 ~~discharges~~ ^{or solid waste} that occurred on the property.

23 (b) The hazardous ~~waste~~ ^{or solid waste} discharges identified by the investigation
24 under par. (a) are cleaned up by restoring the environment to the extent practicable
25 with respect to the discharges and minimizing the harmful effects from the

1 discharges in accordance with rules promulgated by the department and any
2 contract entered into under those rules.

3 (c) The local governmental unit obtains an approval from the department
4 stating that the property has been satisfactorily restored to the extent practicable
5 with respect to the hazardous ~~or solid~~ ^{or solid waste} waste discharges and that the harmful effects
6 from the discharges have been minimized.

7 (f) The local governmental unit has not obtained the certification under par. (c)
8 by fraud or misrepresentation, by the knowing failure to disclose material
9 information or under circumstances in which the local governmental unit knew or
10 should have known about more discharges of hazardous ~~or solid~~ ^{or solid waste} waste ~~than were~~
11 revealed by the investigation conducted under par. (a).

12 (g) The local governmental unit did not cause the discharge of any hazardous
13 ~~or solid~~ ^{or solid waste} waste identified on the property.

14 (3) (a) A hazardous ~~or solid~~ ^{or solid waste} waste treatment, storage or disposal facility that
15 first begins operation after the date on which the local governmental unit acquired
16 the property.

17 (b) A licensed hazardous ~~or solid~~ ^{or solid waste} waste treatment, storage or disposal facility
18 operated on the property before the date on which the local governmental unit
19 acquired the property and that is operated after the date on which the local
20 governmental unit acquired the property.

21 (c) Any hazardous ~~or solid~~ ^{or solid waste} waste disposal facility that has been issued a license
22 under s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those
23 sections, for a period of long-term care following closure of the facility.

24 SECTION 39. 292.26 (2) (intro.) of the statutes is amended to read:

1 292.26 (2) (intro.) Except as provided in sub. (3), a local governmental unit is
 2 immune from civil liability related to the discharge of a hazardous substance on or
 3 from property owned or controlled by the local unit of government at the time that
 4 the discharge is discovered ^{stat. "21"} ~~on~~ ^{on or} from property formerly owned or controlled by the local
 5 governmental unit ^{that} if the property is no longer owned by the local governmental unit
 6 at the time that the discharge is discovered ~~and~~ if any of the following applies:

7 SECTION 40. 292.31 (11) of the statutes is created to read:

8 292.31 (11) ^{specifying} In determining the criteria for ^{determining} ~~closure of~~ a case involving ^{whether any further} ~~closure of~~ a case involving ^{is necessary} ~~closure of~~ ^{under sub. (3)} ~~closure of~~
 9 groundwater contamination exceeding enforcement standards or preventive action
 10 limits adopted by the department, the department shall consider institutional
 11 controls, including municipal ordinances, that provide adequate notice to the public
 12 of groundwater contamination in the area affected by the groundwater
 13 contamination to be equivalent to recorded groundwater use restrictions.

14 SECTION 41. 560.14 (4m) (a) (intro.) of the statutes is amended to read:

15 560.14 (4m) (a) (intro.) Subject to par. (b), the department may make a grant
 16 under this subsection from the appropriation under s. 20.143 (1) (fg) to a
 17 community-based organization or private nonprofit organization for a local
 18 statewide or multi-state venture capital development conference if all of the
 19 following apply:

20 SECTION 42. 560.14 (4m) (c) of the statutes is created to read:

21 560.14 (4m) (c) The department shall encourage the development of venture
 22 capital development conferences in the upper midwest region of the United States
 23 that comply with the requirements specified in par. (a) 1. and 2.

24 SECTION 43. 560.25 of the statutes is created to read:

1 **560.25 Productivity enhancement training expense certification. (1)**

2 DEPARTMENT POWERS AND DUTIES. The department shall develop, implement and
3 administer a productivity enhancement training expense certification program.

4 (2) PURPOSES OF PRODUCTIVITY ENHANCEMENT TRAINING EXPENSE CERTIFICATION
5 PROGRAM. The department shall develop the productivity enhancement training
6 expense certification program to assist businesses to provide training to their
7 incumbent work force designed to improve that work force's productivity and
8 promote and provide workers for high-skill and high-wage jobs.

9 (3) CERTIFICATION. The department shall certify as eligible for the tax credit
10 under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r) the productivity enhancement training
11 expenses of any business that meets the eligibility requirements under sub. (4).

12 (4) ELIGIBILITY. A business may apply to have its productivity enhancement
13 training expenses certified if all of the following apply:

14 (a) The business submits to the department a productivity enhancement
15 training plan that the department finds does all of the following:

16 1. Provides for the training of the business's incumbent work force which will
17 increase the incumbent work force's productivity to achieve specific goals established
18 as a result of the assessment and consultation in par. (b).

19 2. Provides for the training of the business's incumbent work force which will
20 result in the work force holding higher skilled jobs and holding higher paying jobs,
21 as determined by the assessment and consultation in par. (b).

22 (b) The business receives pre-training needs assessment and consultation
23 which establishes the appropriateness of the proposed training from an entity
24 experienced in providing productivity assessment or business planning and that is
25 approved by the department.

1 (c) The business submits to the department an accounting of the productivity
2 enhancement training expenses incurred by the business under the plan under par.

3 (a) and the department determines that the expenses were incurred under the plan.

4 (5) REPORT. (a) Each business certified under this section and that claims the
5 tax credit under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r), shall report to the
6 department by the March 1 of the year after receiving the certification on the results
7 of its productivity enhancement training and its success in meeting the goals
8 established in its productivity enhancement training plan. The report shall be on a
9 form prescribed by the department.

10 (b) Annually, the department shall estimate the amount of foregone state
11 revenue because of the benefits claimed by persons certified under this section.

12 (c) Annually, by December 1, the department shall report to the legislature
13 under s. 13.172 (2) on the effectiveness of the productivity enhancement training
14 certification program and the tax credit under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r),
15 in meeting the purposes of the program as identified in sub. (2).

16 (6) APPLICATION. The department shall, by rule, develop application procedures
17 for the productivity enhancement training certification. The application for
18 certification shall show that the applicant satisfies the requirements under sub. (4)
19 and commits to reporting under sub. (5).

20 (7) DEFINITION. For purposes of this section, "productivity enhancement
21 training expenses" means expenses of a business incurred in providing training
22 which is designed to increase the productivity of the business' incumbent work force
23 and promote or create high- skill, high-wage jobs. "Productivity enhancement
24 training expenses" includes expenses incurred for assessment and consultation
25 under sub. (4) (b), not to exceed \$2,000.

1 (8) NOTIFICATION. The department shall notify the department of revenue of
2 all persons entitled to claim tax benefits under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r)

3 (9) TRANSFERABILITY. The tax benefits for which a person is certified as eligible
4 under this section are not transferable to another person or business.

5 (10) SUNSET. No business may be certified under this subsection after
6 December 31, 2008.

7 SECTION 44. 560.31 (2) (g) of the statutes is created to read:

8 560.31 (2) (g) The person has an office in this state with at least one full-time
9 professional employe actively engaged in the investment of cash in qualified
10 businesses in Wisconsin.

11 SECTION 45. 560.33 (1) (c) of the statutes is amended to read:

12 560.33 (1) (c) During its 2 most recent fiscal years, the business had, together
13 with all of its consolidated affiliates, an average annual net income, after federal
14 income taxes and excluding any carry-over losses, of not more than \$2,000,000
15 \$1,000,000, as determined in accordance with generally accepted accounting
16 principles.

17 SECTION 46. 560.34 of the statutes is created to read:

18 560.34 (1) Notwithstanding sub (1), an investment shall not be a qualified
19 investment if the investment is used in whole or in part to do any of the following:

20 (a) Retire outstanding long-term debt or obligations to the affiliates of the
21 qualified business.

22 (b) Purchase outstanding equity of the qualified business.

23 (c) Purchase stock or other interests in a person other than the qualified
24 business.

INVESTMENTS THAT ARE NOT QUALIFIED.

10-6

JS. 5-3

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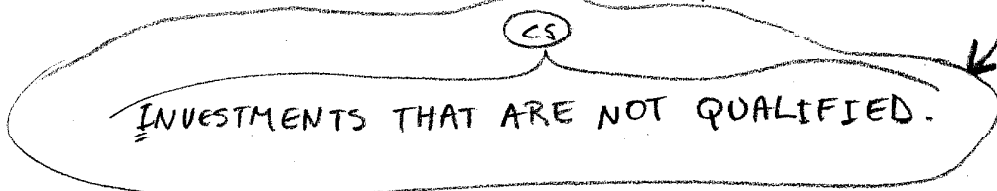
20

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0-11



1 (d) Purchase, lease or license substantially all of the assets ^{that} ~~which~~ are currently
 2 used by an existing business to produce net income after taxes to the holders of the
 3 assets.

4 **SECTION 47. Appropriation changes ~~department of workforce~~**
 5 **~~development.~~**

6 (1) **ADVANCED JOURNEY WORKER CREDENTIAL PILOT PROGRAM.** In the schedule
 7 under section 20.005 (3) of the statutes for the appropriation to the department of
 8 workforce development under section 20.445 (1) (a) of the statutes, as affected by the
 9 acts of 1999, the dollar amount is increased by \$160,000 for fiscal year 1999-00 and
 10 the dollar amount is increased by \$120,000 for fiscal year 2000-01 to increase the
 11 authorized FTE positions for the department by 1.0 GPR position ~~on July 1, 1999~~
 12 for the implementation and program development of the advanced journey worker
 13 credential pilot program.

*Under section 106.01 (11) of the statutes,
 as created by this act*

14 **SECTION 48. Initial applicability.**

15 (1) **ENVIRONMENTAL REMEDIATION TAX INCREMENTAL FINANCING.** The treatment of
 16 section 66.462 (1) (c) and (2) of the statutes first applies to an environmental
 17 remediation tax incremental financing district, the written remediation proposal for
 18 which is approved by the political subdivision's governing body on the effective date
 19 of this subsection.

20 (2) ~~JOB RETENTION SKILLS DEVELOPMENT PROGRAM: WISCONSIN WORKS.~~ The
 21 treatment of section 49.1475 of the statutes first applies to Wisconsin works agencies
 22 ~~that enter into or renew contracts on the effective date of this act.~~

23 (2) ~~PRODUCTIVITY ENHANCEMENT TRAINING TAX CREDIT.~~ The treatment of sections
 24 71.07 (5r), 71.28 (5r), ~~and~~ 71.47 (5r) ^{and 566.27} of the statutes first applies to taxable years
 25 beginning ~~on~~ January 1, 2000.

NS.
10-14

NS.
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on

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(4) TRANSFER OF ENVIRONMENTAL REMEDIATION TAX CREDITS. The treatment of

2

section 71.28 (1dx) (b) 1, 1m. and (f) ~~by this act~~ first applies to ^{taxable} years beginning

3

on January 1, 2000.

4

SECTION 49. Effective dates. This act takes effect on the day after

5

publication, except as follows:

6

~~(1) WORLD GEOGRAPHY FUND. The repeal of section 20.255 (3) (er) of the statutes takes effect on June 30, 2001.~~

7

8

~~(2) ADVANCED JOURNEYWORKER PILOT PROGRAM. The treatment of section 106.01 (11) of the statutes takes effect on July 1, 1999.~~

9

10

(8) CERTIFIED CAPITAL COMPANIES. The treatment of sections 560.14 (4m) (a)

11

(intro.) ~~560.14 (4m) (c), 560.31 (2) (g), 560.33 (1) (c) and 560.34 (1) (a) will~~ take effect

12

on July 1, 2000.

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(END)

of the statutes

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of the statutes

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1 Insert 9-10

2 **20.292 Technical college system, board of**

3 (1) TECHNICAL COLLEGE SYSTEM

4 (kd) Job retention skills development

5 programs.

PR-S

A

-200,000-

-0-

7 Insert 9-17

8 SECTION 1. 20.292 (1) (kd) of the statutes is created to read:

9 20.292 (1) (kd) *Job retention skills development programs.* ~~The amounts in the~~
10 ~~schedule for job retention skills development programs.~~ All moneys transferred from

11 the appropriation account under s. 20.445 (3) (md) ~~shall be credited to this~~
12 ~~appropriation.~~ *No moneys may be encumbered from this appropriation*

13 SECTION 2. 20.445 (3) (md) of the statutes, as affected by 1999 Wisconsin Act

14 9, is amended to read:

15 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
16 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
17 to be transferred to the appropriation accounts under sub. (7) (kc) and ss. 20.255 (2)
18 (kh) and (kp), 20.292 (1) (kd), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc),
19 (kd), (km) and (ky), (5) (ky), (7) (kw) and (ky) and (8) (kx), 20.465 (4) (k) and 20.835
20 (2) (kf). All block grant moneys received for these purposes from the federal
21 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
22 be credited to this appropriation account.

(B)

9-18

(1) Each district ^{board} board shall make
available to all ^{employers} employers in the district
a job retention [✓] skills development program in

(END OF INSERT)

10-10

(B)

m

(9)

(3)

(a) The board shall ^{supervise, and} establish minimum requirements for the ~~program~~ program.

~~shall be subject to~~ Except as provided in sub. (2), the

(END OF INSERT)

INSERT 15-10

(1011) (a) In this subsection, "productivity enhancement training expenses" has the meaning given in s. 560.27(1).

(END OF INSERT)

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INSERT 21-21

auto ref. "cc"
SECTION 77.92 (4) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

77.92 (4) "Net business income", with respect to a partnership, means taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx) ~~and~~ (3s) and (5r); and plus or minus, as appropriate, transitional adjustments, depreciation differences and basis differences under s. 71.05 (13), (15), (16), (17) and (19); but excluding income, gain, loss and deductions from farming. "Net business income", with respect to a natural person, estate or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employe as defined in section 3121 (d) (3) of the Internal Revenue Code.

History: 1999 a. 9.

(END OF INSERT)

30-6:1

1 SECTION 67. 560.14 (4m) (a) (intro.) of the statutes is amended to read:

2 560.14 (4m) (a) (intro.) Subject to par. (b), the department may make a grant
3 under this subsection from the appropriation under s. 20.143 (1) (fg) to a
4 community-based organization or private nonprofit organization for a local,
5 statewide or multi-state venture capital development conference if all of the
6 following apply:

7 SECTION 68. 560.14 (4m) (c) of the statutes is created to read:

8 560.14 (4m) (c) The department shall encourage the development of venture
9 capital development conferences in the upper midwest region of the United States
10 that satisfy the requirements ^{"BB"} ~~specified~~ ^{under} par. (a) 1. and 2.

11 SECTION 69. 560.35 of the statutes is created to read:

12 560.35 Productivity enhancement training expense certification. (1)

13 ~~The department shall~~ The department shall develop, implement and
14 administer a productivity enhancement training expense certification program ^{period stays}

15 (2) PURPOSES OF PRODUCTIVITY ENHANCEMENT TRAINING EXPENSE CERTIFICATION
16 PROGRAM. The department shall develop the productivity enhancement training
17 expense certification program to assist businesses ~~to provide~~ training to their

18 ~~employees that is~~ ^{to} ~~employees~~ designed to improve ~~the work force~~ productivity and
19 promote and provide workers for ~~high skill and high wage~~ jobs. ^{Insert 37-19}

20 (3) CERTIFICATION. The department shall certify as eligible for the tax credit
21 under ~~ss.~~ 71.07 (5r), 71.28 (5r) and 71.47 (5r) ~~the productivity enhancement training~~
22 ~~expenses of~~ any business that meets the eligibility requirements under sub. (4).

23 (4) ELIGIBILITY. A business ^{is eligible} ~~may apply~~ to have its productivity enhancement
24 training expenses certified if all of the following apply:

the employees'

employees that is

in providing

organizing

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period stays

Insert 37-19

30-6:2

employees that

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(a) The business submits to the department a productivity enhancement training plan that the department finds does all of the following:

1. Provides for the training of the business's ~~employees~~ ^{employees} will increase the ~~number of employees~~ ^{employees} productivity to achieve specific goals established as a result of the assessment and consultation ~~in~~ ^{under} par. (b).

2. Provides for the training of the business's ~~employees~~ ^{employees} will result in the ~~business~~ ^{business} holding ~~additional~~ ^{additional} jobs as determined by the assessment and consultation ~~in~~ ^{under} par. (b).

(b) ~~The~~ ^{business} receives ~~pretraining~~ ^{pretraining} needs assessment and consultation ~~which~~ ^{that is} establishes the appropriateness of the proposed ~~training~~ ^{training} from an entity experienced in providing productivity assessment or business planning and that is approved by the department.

~~The~~ ^{business} submits to the department an accounting of the productivity enhancement training expenses incurred by the business under the plan under par.

(a) and the department determines that the expenses were incurred under the plan.

(b) ~~REPORT~~ ^{ING} (a) Each business certified under this section ~~that~~ ^{or} claims the tax credit under ~~s.~~ ^{71.07 (5r), 71.28 (5r) and 71.47 (5r)} shall report to the department ~~by~~ ^{it received} March 1 of the year after ~~receives~~ ^{on} the certification on the results of its productivity enhancement training and its success in meeting the goals established in its productivity enhancement training plan. The report shall be on a form prescribed by the department.

(b) Annually, the department shall estimate the amount of foregone state revenue because of the ~~benefits~~ ^{tax credits} claimed by persons certified under this section.

(c) Annually, by December 1, the department shall report to the legislature under s. 13.172 (2) on the effectiveness of the productivity enhancement training

Requiring highest degree of skill and paying higher wages than their current jobs

Insert 38-7

no later than

30-6:3

specified

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certification program and the tax credit under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r) in meeting the purposes of the program as ~~identified~~ in sub. (2).

(6) APPLICATION. The department shall, by rule, develop application procedures for ~~the~~ productivity enhancement training certification. The application for certification shall show that the applicant satisfies the requirements under sub. (4) and commits to reporting under sub. (5) (a)

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(7) DEFINITION. For purposes of this section, "productivity enhancement training expenses" means expenses of a business incurred in providing training which is designed to increase the productivity of the business' incumbent work force and promote or create high-skill, high-wage jobs. "Productivity enhancement training expenses" includes expenses incurred for assessment and consultation under sub. (4) (b), not to exceed \$2,000.

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(8) NOTIFICATION. The department shall notify the department of revenue of all persons entitled to claim tax ~~benefits~~ ^{credits} under ss. 71.07 (5r), 71.28 (5r) and 71.47 (5r).

(9) TRANSFERABILITY. The tax ~~benefits~~ ^{credits} for which a person is certified as eligible under this section are not transferable to another person or business.

(10) SUNSET. No business may be certified under this ~~section~~ ^{section} after December 31, 2008 ^{or for tax credits for any tax year beginning after December 31, 2008}

Insert 37-18

~~SECTION 70. 560.31 (2) (g) of the statutes is created to read:
560.31 (2) (g) The person has an office in this state with at least one full-time professional employe actively engaged in the investment of cash in qualified businesses in Wisconsin.~~

~~SECTION 71. 560.33 (1) (c) of the statutes is amended to read:
560.33 (1) (c) During its 2 most recent fiscal years, the business had, together with all of its consolidated affiliates, an average annual net income, after federal~~

(END OF INSERT
30-6)

Insert 31-13

~~SECTION 3. Appropriation changes.~~

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create
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"ab"

(2) ~~(1)~~ JOB RETENTION SKILLS DEVELOPMENT PROGRAMS. (a) There is transferred from the appropriation to the department of workforce development under section 20.445

(3) (md) of the statutes, as affected by 1999 Wisconsin Acts 9 and ~~1999 Wisconsin Act 9~~ this act, to the appropriation to the technical system college board under ~~section 20.292 (1) (kd)~~ as created by 1999 Wisconsin ~~Act 9~~ this act, \$200,000 in fiscal year 1999-00. of the statutes

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of workforce development under section 20.445 (3) (md) of the statutes, as affected by 1999 Wisconsin Act 9 and ~~1999 Wisconsin Act 9~~ this act, the dollar amount for fiscal year 1999-00 is decreased by \$200,000.

to reflect the transfer of moneys under paragraph (a)

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(END of insert)

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WPO THESE INSERTS
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INSERT 37-13

DEFINITION. In this section, "productivity enhancement training expenses" means expenses incurred by a business in providing training designed to increase the productivity of the business's employes and to promote or create jobs that require high degrees of skill to perform and that pay high wages. "Productivity enhancement training expenses" includes up to \$2,000 in expenses incurred for needs assessment and consultation under sub. (4) (b).

(2) PROGRAM

(END OF INSERT 37-13)

✓ INSERT 37-19

requiring high degrees of skill to perform and paying high wages

(END OF INSERT 37-19)

✓ INSERT 38-9

no 99

Prior to providing any productivity enhancement training, the

(END OF INSERT 38-9)

INSERT 38-12

(c) The needs assessment and consultation under par. (b) determines that the proposed training is appropriate for the purposes specified under par. (a).

****NOTE: The proposed language was unclear to me. Does the business come up with its training plan through the assessment and consultation or does the entity with the experience in productivity assessment or business planning assess the plan that the business comes up and give it its stamp of approval?

(END OF INSERT 38-12)

INSERT 39-18



****NOTE: It sounds like the purpose of the training under this program is to train employees to leave their jobs for better jobs at other businesses. Is this okay, or should the language make it clear that the jobs paying higher wages and requiring higher degrees of skill are at the same business?

(END OF INSERT 39-18)

INSERT 40-3

SECTION 1. 560.34 (1) (intro.) of the statutes is amended to read:

560.34 (1) QUALIFIED INVESTMENTS REQUIREMENTS. (intro.) In order for a certified capital company to prevent disqualification under s. 560.37 of an investment pool, the certified capital company shall ensure that the investment pool makes qualified investments in accordance with the schedule under sub. (1m). Except as provided in sub. (1c), an investment is a qualified investment if the investment meets all of the following requirements:

History: 1997 a. 215.

(END OF INSERT 40-3)

INSERT 40-11

****NOTE: Since a qualified investment is a cash investment in a qualified business, is this paragraph necessary?

(END OF INSERT 40-11)

INSERT 40-14

****NOTE: Does "to produce net income after taxes, etc." modify "assets that are currently used"?

(END OF INSERT 40-14)

Insert 40-15 (see next page)

INSERT 41-23

****NOTE: Did you intend to include the sections on venture capital development conferences in this subsection? If so, the title should be changed to reflect more than the CAPCO provisions.

(END OF INSERT 41-23)

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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INSERT 40-15

SECTION 1. 560.34 (2) (title) of the statutes is amended to read:

560.34 (2) (title) ~~NONQUALIFIED~~ OTHER CERTIFIED CAPITAL COMPANY INVESTMENTS.

History: 1997 a. 215.

(END OF INSERT 40-15)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3778/1dnISR
ISR:.....

cmH

Please review this bill carefully to make sure it achieves your intent. In particular, please note the following:

1. As we discussed, I have deleted the requirement that a W-2 contract contain provisions requiring a community steering committee to establish a transportation advisory committee and a W-2 agency to provide an accounting of money spent on transportation services. Instead, I have moved these requirements to section 49.157. This change ensures that the W-2 agencies must comply with these requirements before the next round of contracts become effective on January 1, 2002.

2. This bill does not specify when or how often the report on transportation expenses must be provided to DWD. Is this your intent?

3. I have also deleted the initial applicability provision for the treatment of section 49.1475. The initial applicability provision would not have required a W-2 agency to coordinate case management services with a job retention skills development program until January 1, 2002. If this was your intent, please contact me and I will redraft the initial applicability provision.

4. Finally, because federal TANF moneys are used to fund a portion of the job retention skills development program, the program must meet certain federal requirements. For example, federal law does not permit TANF moneys to be used for programs that provide job services to individuals who do not have a dependent child and do not qualify as "needy". The job retention skills development programs are available to any individual who is recently employed, regardless of whether the individual has a dependent child or his or her income is at or below 200% of the poverty level. You may want to include language that specifies that the program may only serve those individuals eligible to receive TANF to ensure that the program complies with the federal TANF requirements.

Please feel free to contact me if you have any questions or comments regarding the bill.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

LRB-3778/P2
MES/cmt

D-Note

In s. 66.462(1)(c), the bill amends the definition of "eligible costs" by including "cancellation of delinquent taxes." I have left this change in the bill, but I have a concern. This inclusion ignores other current law procedures for recovering delinquent taxes and could result in taxpayers paying for the delinquent taxes twice -- once through the county levy and then as an ERTIF cost. Is this your intent?

M E J

D-N

MJA

mjc/ emt

Q1 1. I changed the draft to require the National Geographic Society, not the Foundation, to award a matching grant because it is my understanding that ~~that the agreement~~ ~~at~~ the Society actually awards the matching grants to states.

Q2 2. Do you want to specify what the report "on recipients" should contain?

3. At the request of Bob Conlitz, I did not change the starting date of the foreign language immersion program or move all of the money for the program into ~~the 2000-01 fiscal year~~ ~~I placed \$1,100,000 in the 2000-01~~ ~~the 2000-01~~ fiscal year in the appropriation schedule.

If this bill is not enacted until the late spring, you may wish to have an amendment drafted to address this concern.

MJL

~~DN: 2~~ - DN: 2

91 1. Concerning proposed ss. 292.11(14), 292.15(8) and 292.31(11),
the statutes do not use the term "case closure", so I have
modified the language a little. DN's rules define case closure
to mean a determination that no further action is necessary. (see NR 725.03(1))

91 2. I am not certain that adding "solid waste" to s. 292.24
makes any real difference because the statutes from which
s. 292.24 exempts local governmental units are hazardous
waste statutes.

CT

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3778/P2dn
ISR/MES/MJL/RCT:cmh:jf

January 31, 2000

Please review this bill carefully to make sure it achieves your intent. In particular, please note the following:

1. As we discussed, I have deleted the requirement that a W-2 contract contain provisions requiring a community steering committee to establish a transportation advisory committee and a W-2 agency to provide an accounting of money spent on transportation services. Instead, I have moved these requirements to section 49.157. This change ensures that the W-2 agencies must comply with these requirements before the next round of contracts become effective on January 1, 2002.

2. This bill does not specify when or how often the report on transportation expenses must be provided to DWD. Is this your intent?

3. I have also deleted the initial applicability provision for the treatment of section 49.1475. The initial applicability provision would not have required a W-2 agency to coordinate case management services with a job retention skills development program until January 1, 2002. If this was your intent, please contact me and I will redraft the initial applicability provision.

4. Finally, because federal TANF moneys are used to fund a portion of the job retention skills development program, the program must meet certain federal requirements. For example, federal law does not permit TANF moneys to be used for programs that provide job services to individuals who do not have a dependent child and do not qualify as "needy". The job retention skills development programs are available to any individual who is recently employed, regardless of whether the individual has a dependent child or his or her income is at or below 200% of the poverty level. You may want to include language that specifies that the program may serve only those individuals eligible to receive TANF to ensure that the program complies with the federal TANF requirements.

Please feel free to contact me if you have any questions or comments regarding the bill.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

In s. 66.462 (1) (c), the bill amends the definition of "eligible costs" by including "cancellation of delinquent taxes." I have left this change in the bill, but I have a

concern. This inclusion ignores other current law procedures for recovering delinquent taxes and could result in taxpayers paying for the delinquent taxes twice – once through the county levy and then as an ERTIF cost. Is this your intent?

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

1. I changed the draft to require the National Geographic Society, not the foundation, to award a matching grant because it is my understanding that the society actually awards the matching grants to states.

2. Do you want to specify what the report “on recipients” should contain?

3. At the request of Bob Conlin, I did not change the starting date of the foreign language immersion program or move all of the money for the program into the 2000-01 fiscal year in the appropriation schedule. If this bill is not enacted until the late spring, you may wish to have an amendment drafted to address this concern.

Madelon J. Lief
Legislative Attorney
Phone: (608) 267-7380

1. Concerning proposed ss. 292.11 (14), 292.15 (8) and 292.31 (11), the statutes do not use the term “case closure”, so I have modified the language a little. DNR’s rules define case closure to mean a determination that no further action is necessary (see, NR 726.03 (1)).

2. I am not certain that adding “solid waste” to s. 292.24 makes any real difference because the statutes from which s. 292.24 exempts local governmental units are hazardous waste statutes.

Rebecca C. Tradewell
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