

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/27/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters: **kahlepj
jkreye**

Subject: **Environment - env. cleanup**

Extra Copies:

Pre Topic:

LFB:.....Bonderud -

Topic:

Sustainable urban development zone program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/4/99	gilfokm 06/4/99		_____			
/P1			martykr 06/6/99	_____	lrb_docadmin 06/7/99		
/1	kahlepj 06/11/99 jkreye 06/12/99	jgeller 06/13/99 gilfokm 06/14/99	mclark 06/13/99	_____	ismith 06/13/99		

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

jkreye
06/14/99

/2

mclark
06/14/99

lrb_docadmin
06/14/99

FE Sent For:

<END>

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jkreye

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Extra Copies: Ron Shanovich - LFB (e-mailed)

Pre Topic:

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/1	kahlepj 06/11/99 jkreye 06/12/99	jgeller 06/13/99	mclark 06/13/99	_____	ismith 06/13/99		
		12-6-14-99 fmg	MRC 6/14		MRC/JF 6/14		

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Drafter: **traderc**

May Contact:

Alt. Drafters: **kahlepj
jkreye**

Subject: **Environment - env. cleanup**

Extra Copies:

*Ron Shannon
LFB*

Pre Topic:

LFB:.....Bonderud -

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Instructions:

See Attached

Drafting History:

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/?	traderc 06/4/99	gilfokm 06/4/99		_____			
/P1		<i>1 6/2 jlg</i> martykr 06/6/99		_____	lrb_docadmin 06/7/99		
/1	kahlepj 06/11/99 jkreye			_____			

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

MRC MRC/cmt
6/13 6/13

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

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Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **PJK, JK**

Pre Topic:

LFB:.....Bonderud -

Topic:

Sustainable urban development zone program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/4/99	gilfokm 06/4/99		_____			
/P1			martykr 06/6/99	_____	lrb_docadmin 06/7/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/27/99

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Bonderud 6-5392

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Environment - env. cleanup

Extra Copies: PJK
JK

Pre Topic:

LFB:.....Bonderud -

Topic:

Sustainable urban development zone program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	traderc	1/1-6-4-99 fmg	fmg	J L fmg	Please submit 1/1		

FE Sent For:

<END>

Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: May 27, 1999

DELIVER TO: **Becky Tradewell**Addressee Fax #: **4-8522**

Addressee Phone #: 6-7290

of Pages, Including Cover: **15**Sender's Initials: **kb**From: **Kendra Bonderud**

Here are the motions from yesterday for drafting. You will probably have a few questions after you look through them. Here are a few notes to be aware of:

Motion #949: Brownfields: My LFB colleagues will contact their LRB counterparts directly regarding parts B-G, so you will only need to concern yourself with A and H. Under A.4(d), I talked with Barry Ashenfelter of Sen. Burke's office, and have a phone message in to Mark Thimke to ask what cross-reference he felt was needed. Otherwise, I am not sure at the moment how (d) differs from what is in the bill. Under A.7, note that the additional study would not include WHEDA. Under A.9, I will call you later, probably on Friday, to let you know the specific changes to make in the hazardous waste generator fee, s. 289.67(2) for the base rate and/or per ton rate. The language in section H is somewhat broad. It should include a new appropriation from the environmental management account of the environmental fund for the pilot program described there.

Motion #948, Land recycling loan for Kenosha. This motion gives Kenosha \$3,000,000 off the top of the \$20,000,000 available for land recycling loans. However, if Kenosha and DNR and DOA do not enter into a financial assistance agreement by June 30, 2000, Kenosha would no longer have access to the funds and the money would again be available to the regular program.

Motion #934: PCB public meeting: I will call you after I clarify whether the DNR agreement with EPA is for concentrations over 50 ppm or for equal to or over 50 ppm. If the federal agreement is for over 50 ppm, then I will need to have you draft this motion as "equal to or less than 50 ppm" instead of how it is worded.

F. Shared Revenue and Property Taxation

- 1. *Blight Elimination* [LFB Summary p. 552, #4] Maintain current law.

G. University of Wisconsin Systems

- 1. *Development of Brownfields Case Studies.* Request the LaFollette Institute of the University of Wisconsin - Madison to study the expected costs and returns of redeveloping an environmentally problematic property as well as a greenfields development.

and the
School of
Urban and
Regional
Planning

H. Multiple Agencies

- 1. *Sustainable Urban Development Zone Program.* Provide \$2,250,000 environmental fund SEG in 1999-00 in a biennial appropriation to DNR for use for a sustainable urban development zone pilot program. Direct DNR, in cooperation with the Departments of Health and Family Services, Transportation, Revenue, Administration and Commerce, and the Cities of Milwaukee, Green Bay, La Crosse and Oshkosh, to develop a pilot program no later than January 1, 2001, that promotes the use of financial incentives to cleanup and redevelop contaminated properties in the listed cities. Designate that of the \$2,250,000 in total funding, the following amounts would be available as grants to the cities: (a) \$1,000,000 for the City of Milwaukee; (b) \$500,000 for the City of Green Bay; (c) \$500,000 for the City of La Crosse; and (d) \$250,000 for the City of Oshkosh. Specify that the state funds may be used for the assessment, investigation and cleanup of brownfields properties in the Cities. Require the Department of Commerce to designate areas in each City as development zones so that persons conducting cleanups would be eligible for the remediation tax credit. Direct that the Department of Transportation to work with the Cities in planning, transportation access, infrastructure improvements in the DOT 2001-03 biennial budget request.

developing

and

Note:

[Change to Bill: \$4,700,000 SEG-REV, \$4,642,600 SEG, \$535,500 PR, 6.0 SEG positions, 5.0 PR positions]

1999

Date (time) needed

SOON (inserting 6/2)

LRB b 04381 P1

LFB BUDGET AMENDMENT [ONLY FOR LFB]

RET: King

See form AMENDMENTS — COMPONENTS & ITEMS.

LFB AMENDMENT TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

DNWte

At the locations indicated, amend the bill as follows:

✓ #. Page 407, line 14.: after that line insert:

SECTION 332e. CR: 20.370(6)(er)

20.370(6)(er) Environmental aids, sustainable urban

#. Page ..., line ...:

development zones. Biennially, from the environmental fund, the amounts in the schedule for the sustainable urban development zone program

#. Page ..., line ...:

under s. 292.77.

#. Page ..., line ...:

#. Page ..., line ...:

#. Page ..., line ...:

✓ # Page 1197, line 2: after that line insert:

"Section 2649h. CR; 292.77

292.77 Sustainable urban development zone program.

NOA (B) (1) In this section, "brownfields" has the meaning given in s. 560.13(1)(a).

(2) The department shall develop and, beginning

no later than January 1, 2001, administer a

pilot program that promotes the use of financial incentives to clean up and redevelop brownfields.

in the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh.

Funds provided under the program may be used to investigate environmental contamination and to conduct cleanups of brownfields in these cities.

In developing and administering the pilot program under sub. (2),

(3) The department shall consult and coordinate with the department of administration, the department of commerce, the department of health and family

services, the department of revenue, the department of transportation and the cities specified in sub. (2).

³
(4) During the 199⁹-2001 fiscal biennium, the department shall make the following amounts available through the pilot program under sub. (2):

(a) To the city of Green Bay, \$500,000.

(b) To the city of La Crosse, \$500,000.

(c) To the city of Milwaukee, \$1,000,000.

(d) To the city of Oshkosh, \$250,000. "



1999

LRB 60438 / 1

Nonstat File Sequence: **AAA**

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#a)", etc., is filled in. Below, for the budget, fill in the 9100 department code; and fill in "___" or "()" only if a "frozen" number is needed.

✓ #. Page 1422, line 2: after that line insert:

SECTION # [91] . Nonstatutory provisions; ...

.....
" (1) (3v) ^{CS} Proposals for transportation planning, access and infrastructure ^{improvements}

The department of transportation shall work with the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh to develop proposals

for ^{transportation} planning, access and infrastructure improvements for inclusion in the department's submission under section 16.54(1)

of the statute for the purposes of the 2001-03 biennial budget act. [✓] ~~16.42~~ 16.42

(End)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBSample2/dn

LRB60438/P/dn
RET: King:

Kendra Boderud:

This is a preliminary draft of the sustainable urban development zone proposal. This draft does not include the part of the proposal about Commerce designating areas as development zones. We will need more information to draft that.

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

RET

Query for: Document: LRBSample2/dn

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0438/P1dn
RCT:kmg:km

June 6, 1999

Kendra Bonderud:

This is a preliminary draft of the sustainable urban development zone proposal. This draft does not include the part of the proposal about Commerce designating areas as development zones. We will need more information to draft that.

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest".

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0438/24
RCF/kmg:km

JK, PJK

JG+

LFB:.....Bonderud - Sustainable urban development zone program

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

SOON
(6-18-99)
D-vote

1 At the locations indicated, amend the bill as follows:

2 1. Page 407, line 14: after that line insert:

3 "SECTION 332e. 20.370 (6) (er) of the statutes is created to read:

4 20.370 (6) (er) *Environmental aids — sustainable urban development zones.*

5 Biennially, from the environmental fund, the amounts in the schedule for the
6 sustainable urban development zone program under s. 292.77."

7 2. Page 1197, line 2: after that line insert:

8 "SECTION 2649h. 292.77 of the statutes is created to read:

9 292.77 **Sustainable urban development zone program.** (1) In this

10 section, "brownfields" has the meaning given in s. 560.13 (1) (a).

Insert 1-6

1 (2) The department shall develop and, beginning no later than January 1,
2 2001, administer a pilot program in the city of Green Bay, the city of La Crosse, the
3 city of Milwaukee and the city of Oshkosh that promotes the use of financial
4 incentives to clean up and redevelop brownfields. Funds provided under the
5 program may be used to investigate environmental contamination and to conduct
6 cleanups of brownfields in those cities.

7 (3) In developing and administering the pilot program under sub. (2), the
8 department shall consult and coordinate with the department of administration, the
9 department of commerce, the department of health and family services, the
10 department of revenue, the department of transportation and the cities specified in
11 sub. (2).

12 (4) During the 1999–2001 fiscal biennium, the department shall make the
13 following amounts available through the pilot program under sub. (2):

14 (a) To the city of Green Bay, \$500,000.

15 (b) To the city of La Crosse, \$500,000.

16 (c) To the city of Milwaukee, \$1,000,000.

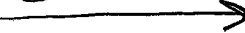
17 (d) To the city of Oshkosh, \$250,000.

18 **3.** Page 1422, line 7: after that line insert:

19 “(3v) PROPOSALS FOR TRANSPORTATION PLANNING, ACCESS AND INFRASTRUCTURE
20 IMPROVEMENTS. The department of transportation shall work with the city of Green
21 Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh to develop
22 proposals for transportation planning, access and infrastructure improvements for

Insert 2-17 ✓

17



- 1 inclusion in the department's submission under section 16.42 (1) of the statutes for
- 2 the purposes of the 2001-03 biennial budget act."

3

(END)

Insert 3-2 ✓

D-note

¶ This redraft requires the department of commerce to certify as eligible for a tax credit for environmental remediation a person conducting a project under the pilot program. Because the requirements and criteria for development zones were not supposed to apply to the areas in the cities involved in the pilot program, it did not make sense to have the areas designated as development zones, "notwithstanding all of the statutes that apply to development zones".

PTK

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0438/lins
JK&PJK:kmg:km

INSERT 1-6

1 **1.** Page 842, line 22: after that line insert:

2 “SECTION 168⁴~~d~~. 71.05 (6) (a) 15.^x of the statutes is amended to read:

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

8 **2.** Page 854, line 10: after that line insert:

9 “SECTION 1709^c. 71.07 (2dy)^x of the statutes is created to read:

10 71.07 (2dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions*. In
11 this subsection:

12 1. “Brownfield” has the meaning given in s. 71.07 (2dx)¹.

13 2. “Environmental remediation” means removal or containment of
14 environmental pollution, as defined in s. 299.01 (4)¹, and restoration of soil or
15 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
16 in a brownfield and investigation unless the investigation determines that
17 remediation is required but remediation is not undertaken.

18 (b) *Credit*. For any taxable year for which the person is certified under s. 292.77
19 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
20 of the amount expended for environmental remediation under the program under s.
21 292.77.

22 (c) *Administration*. Subsection (2dx) (c), (d) and (e), as it applies to the credit
23 under sub. (2dx), applies to the credit under this subsection.

1 **3.** Page 856, line 2: after that line insert:

2 “**SECTION 1719g.** 71.08 (1) (intro.)^X of the statutes is amended to read:

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

12 **SECTION 1719m.** 71.10 (4) (gv)^X of the statutes is created to read:

13 71.10 (4) (gv) Sustainable urban development zone credit under s. 71.07
14 (2dy).”

15 **4.** Page 856, line 24: after that line insert:

16 “**SECTION 1722m.** 71.21 (4)[✓] of the statutes is amended to read:

17 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
18 (2dj), (2dL), (2ds), (2dx), (2dy)[✓] and (3s) and passed through to partners shall be added
19 to the partnership’s income.”

20 **5.** Page 876, line 13: after that line insert:

21 “**SECTION 1740d.** 71.26 (2) (a)^X of the statutes is amended to read:

22 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means
23 the gross income as computed under the internal revenue code as modified under
24 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit

1 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
 2 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) and (1dy) and not
 3 passed through by a partnership, limited liability company or tax-option corporation
 4 that has added that amount to the partnership's, limited liability company's or
 5 tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g) plus the amount
 6 of losses from the sale or other disposition of assets the gain from which would be
 7 wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise
 8 disposed of at a gain and minus deductions, as computed under the internal revenue
 9 code as modified under sub. (3), plus or minus, as appropriate, an amount equal to
 10 the difference between the federal basis and Wisconsin basis of any asset sold,
 11 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
 12 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5)."

13 **6.** Page 877, line 17: after that line insert:

14 "SECTION 1743d. [✓] 71.28 (1dy) [✓] of the statutes is created to read:

15 71.28 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) [✓] Definitions. In
 16 this subsection:

17 1. "Brownfield" has the meaning given in s. 71.28 (1dx) ^(a) 1.

18 2. "Environmental remediation" means removal or containment of
 19 environmental pollution, as defined in s. [✓]299.01 (4), and restoration of soil or
 20 groundwater that is affected by environmental pollution, as defined in s. [✓]299.01 (4),
 21 in a brownfield and investigation unless the investigation determines that
 22 remediation is required but remediation is not undertaken.

23 (b) [✓] Credit. For any taxable year for which the person is certified under s. 292.77
 24 (5), [✓] a person may claim as a credit against taxes imposed under this subchapter 50%

1 of the amount expended for environmental remediation under the program under s.
2 292.77.

3 (c) *Administration*.[✓] Subsection (1dx) (c), (d) and (e),[✓] as it applies to the credit
4 under sub. (1dx), applies to the credit under this subsection.[✓]

5 **7.** Page 879, line 16: after that line insert:

6 "SECTION 1747m.[✓] 71.30 (3) (eon)[✓] of the statutes is created to read:

7 71.30 (3) (eon) Sustainable urban development zone credit under s. 71.28
8 (1dy)."

9 **8.** Page 879, line 21: after that line insert:

10 "SECTION 1748m.^P 71.34 (1) (g)^X of the statutes is amended to read:

11 71.34 (1) (g) An addition shall be made for credits computed by a tax-option
12 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy)[✓] and (3)
13 and passed through to shareholders."

14 **9.** Page 879, line 25: after that line insert:

15 "SECTION 1749m.ⁿ 71.45 (2) (a) 10.^X of the statutes is amended to read:

16 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
17 computed under s. 71.47 (1dd) to (1dx) (1dy)[✓] and not passed through by a
18 partnership, limited liability company or tax-option corporation that has added that
19 amount to the partnership's, limited liability company's or tax-option corporation's
20 income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under
21 s. 71.47 (1), (3), (4) and (5)."[✓]

22 **10.** Page 882, line 4: after that line insert:

23 "SECTION 1756m.^h 71.47 (1dy)^X of the statutes is created to read:

1 71.47 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) Definitions. In
2 this subsection:

3 1. "Brownfield" has the meaning given in s. 71.47 (1dx) 1. (a)

4 2. "Environmental remediation" means removal or containment of
5 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
6 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
7 in a brownfield and investigation unless the investigation determines that
8 remediation is required but remediation is not undertaken.

9 (b) Credit. For any taxable year for which the person is certified under s. 292.77
10 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
11 of the amount expended for environmental remediation under the program under s.
12 292.77.

13 (c) Administration. Subsection (1dx) (c), (d) and (e), as it applies to the credit
14 under sub. (1dx), applies to the credit under this subsection.

15 11. Page 884, line 7: after that line insert:

16 "SECTION 1760². 71.49 (1) (eon) of the statutes is created to read:

17 71.49 (1) (eon) Sustainable urban development zone credit under s. 71.47
18 (1dy)."

(END OF INSERT 1-6)

INSERT 2-17

19 ^{text: treat} (5) (a) The department of commerce shall certify a person conducting a project
20 under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28
21 (1dy) or 71.47 (1dy) while the person is conducting the project.

1 (b) Within 3[✓] months after a person is certified under par. (a)[✓], the department
2 of commerce shall estimate the amount of tax benefits that the person will claim
3 while conducting the project.

4 (c) The department of commerce shall provide a person certified under par. (a)
5 and the department of revenue with a copy of the certification. The certification shall
6 include all of the following:

- 7 1. The name and address of the person's business.
- 8 2. The location and description of the project.
- 9 3. The appropriate[✓] Wisconsin tax identification number of the person.
- 10 4. The names and addresses of other locations where the person conducts
11 business and a description of the business activities conducted at those locations.

12 5. Other information required by the department^{of natural resources} or the department of revenue.[✓]

13 (d) The department of commerce[✓] shall promulgate rules that further define a
14 person's eligibility to claim the tax credit. [✓]•

(END OF INSERT 2-17)

INSERT 3 - 2

15 **12.** Page 1462, line 3: after that line insert:

16 ^{initial}_{app} "(22)^c SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. The treatment of sections
17 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a),
18 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1)
19 (eon) of the statutes takes first applies to taxable years beginning on January 1 of
20 the year in which this subsection takes effect except that if this subsection takes
21 effect after July 31 the treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1)
22 (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1)

1 (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon)[✓] of the statutes takes first applies
2 to taxable years beginning on January 1 of the year following the year in which this
3 subsection[✓] takes effect.”.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0438/1dn
PJK:jlg:mrc

June 13, 1999

This redraft requires the department of commerce to certify as eligible for a tax credit for environmental remediation a person conducting a project under the pilot program. Because the requirements and criteria for development zones were not supposed to apply to the areas in the cities involved in the pilot program, it did not make sense to have the areas designated as development zones, "notwithstanding all of the statutes that apply to development zones".

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us

in 6-14-99

stays

LFB:.....Bonderud – Sustainable urban development zone program

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

~~SDA~~ to day

1 At the locations indicated, amend the bill as follows:

2 1. Page 407, line 14: after that line insert:

3 "SECTION 332e. 20.370 (6) (er) of the statutes is created to read:

4 20.370 (6) (er) *Environmental aids – sustainable urban development zones.*

5 Biennially, from the environmental fund, the amounts in the schedule for the
6 sustainable urban development zone program under s. 292.77."

7 2. Page 842, line 22: after that line insert:

8 "SECTION 1684d. 71.05 (6) (a) 15. of the statutes is amended to read:

9 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
10 (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy) and (3s) and not passed through by a
11 partnership, limited liability company or tax-option corporation that has added that

1 amount to the partnership's, company's or tax-option corporation's income under s.
2 71.21 (4) or 71.34 (1) (g).".

3 **3.** Page 854, line 10: after that line insert:

4 "SECTION 1709c. 71.07 (2dy) of the statutes is created to read:

5 71.07 (2dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
6 this subsection:

7 1. "Brownfield" has the meaning given in ~~subsection~~ ^{sub.} (2dx) (a) 1.

8 2. "Environmental remediation" means removal or containment of
9 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
10 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
11 in a brownfield and investigation unless the investigation determines that
12 remediation is required but remediation is not undertaken.

13 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
14 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
15 of the amount expended for environmental remediation under the program under s.
16 292.77.

17 (c) *Administration.* Subsection (2dx) (c), (d) and (e), as it applies to the credit
18 under sub. (2dx), applies to the credit under this subsection."

19 **4.** Page 856, line 2: after that line insert:

20 "SECTION 1719g. 71.08 (1) (intro.) of the statutes is amended to read:

21 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
22 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
23 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy), (2fd), (3m), (3s),
24 (6) and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and

1 (3) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), ~~(1dy)~~, (1fd), (2m) and (3) and
2 subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the
3 tax under this section, there is imposed on that natural person, married couple filing
4 jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax
5 computed as follows:

6 **SECTION 1719m.** 71.10 (4) (gv) of the statutes is created to read:

7 71.10 (4) (gv) Sustainable urban development zone credit under s. 71.07
8 (2dy).”.

9 **5.** Page 856, line 24: after that line insert:

10 **SECTION 1722m.** 71.21 (4) of the statutes is amended to read:

11 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
12 (2dj), (2dL), (2ds), (2dx), ~~(2dy)~~ and (3s) and passed through to partners shall be added
13 to the partnership’s income.”.

14 **6.** Page 876, line 13: after that line insert:

15 **SECTION 1740d.** 71.26 (2) (a) of the statutes is amended to read:

16 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means
17 the gross income as computed under the internal revenue code as modified under
18 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit
19 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
20 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) ~~and~~ (1dy) and not
21 passed through by a partnership, limited liability company or tax–option corporation
22 that has added that amount to the partnership’s, limited liability company’s or
23 tax–option corporation’s income under s. 71.21 (4) or 71.34 (1) (g) plus the amount
24 of losses from the sale or other disposition of assets the gain from which would be

1 wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise
2 disposed of at a gain and minus deductions, as computed under the internal revenue
3 code as modified under sub. (3), plus or minus, as appropriate, an amount equal to
4 the difference between the federal basis and Wisconsin basis of any asset sold,
5 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
6 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).”

7 **7.** Page 877, line 17: after that line insert:

8 “SECTION 1743d. 71.28 (1dy) of the statutes is created to read:

9 71.28 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
10 this subsection:

11 1. “Brownfield” has the meaning given in ~~s. 71.28~~ ^{sub.} (1dx) (a) 1.

12 2. “Environmental remediation” means removal or containment of
13 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
14 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
15 in a brownfield and investigation unless the investigation determines that
16 remediation is required but remediation is not undertaken.

17 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
18 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
19 of the amount expended for environmental remediation under the program under s.
20 292.77.

21 (c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit
22 under sub. (1dx), applies to the credit under this subsection.”

23 **8.** Page 879, line 16: after that line insert:

24 “SECTION 1747m. 71.30 (3) (eon) of the statutes is created to read:

1 71.30 (3) (eon) Sustainable urban development zone credit under s. 71.28
2 (1dy).”.

3 **9.** Page 879, line 21: after that line insert:

4 “SECTION 1748p. 71.34 (1) (g) of the statutes is amended to read:

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

8 **10.** Page 879, line 25: after that line insert:

9 “SECTION 1749n. 71.45 (2) (a) 10. of the statutes is amended to read:

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

16 **11.** Page 882, line 4: after that line insert:

17 “SECTION 1756h. 71.47 (1dy) of the statutes is created to read:

18 71.47 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
19 this subsection:

20 1. “Brownfield” has the meaning given in ~~s. 71.47~~ ^{sub.} (1dx) (a) 1.

21 2. “Environmental remediation” means removal or containment of
22 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
23 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),

1 in a brownfield and investigation unless the investigation determines that
2 remediation is required but remediation is not undertaken.

3 (b) *Credit*. For any taxable year for which the person is certified under s. 292.77
4 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
5 of the amount expended for environmental remediation under the program under s.
6 292.77.

7 (c) *Administration*. Subsection (1dx) (c), (d) and (e), as it applies to the credit
8 under sub. (1dx), applies to the credit under this subsection.”.

9 **12.** Page 884, line 7: after that line insert:

10 “SECTION 1760q. 71.49 (1) (eon) of the statutes is created to read:

11 71.49 (1) (eon) Sustainable urban development zone credit under s. 71.47

12 (1dy).”.

13 **13.** Page 1197, line 2: after that line insert:

14 “SECTION 2649h. 292.77 of the statutes is created to read:

15 **292.77 Sustainable urban development zone program. (1)** In this
16 section, “brownfields” has the meaning given in s. 560.13 (1) (a).

17 (2) The department shall develop and, beginning no later than January 1,
18 2001, administer a pilot program in the city of Green Bay, the city of La Crosse, the
19 city of Milwaukee and the city of Oshkosh that promotes the use of financial
20 incentives to clean up and redevelop brownfields. Funds provided under the
21 program may be used to investigate environmental contamination and to conduct
22 cleanups of brownfields in those cities.

23 (3) In developing and administering the pilot program under sub. (2), the
24 department shall consult and coordinate with the department of administration, the

✓ insert 6-12

1 department of commerce, the department of health and family services, the
2 department of revenue, the department of transportation and the cities specified in
3 sub. (2).

4 (4) During the 1999–2001 fiscal biennium, the department shall make the
5 following amounts available through the pilot program under sub. (2):

6 (a) To the city of Green Bay, \$500,000.

7 (b) To the city of La Crosse, \$500,000.

8 (c) To the city of Milwaukee, \$1,000,000.

9 (d) To the city of Oshkosh, \$250,000.

10 (5) (a) The department of commerce shall certify a person conducting a project
11 under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28
12 (1dy) or 71.47 (1dy) while the person is conducting the project.

13 (b) Within 3 months after a person is certified under par. (a), the department
14 of commerce shall estimate the amount of tax benefits that the person will claim
15 while conducting the project.

16 (c) The department of commerce shall provide a person certified under par. (a)
17 and the department of revenue with a copy of the certification. The certification shall
18 include all of the following:

19 1. The name and address of the person's business.

20 2. The location and description of the project.

21 3. The appropriate Wisconsin tax identification number of the person.

22 4. The names and addresses of other locations where the person conducts
23 business and a description of the business activities conducted at those locations.

24 5. Other information required by the department of natural resources or the
25 department of revenue.

1 (d) The department of commerce shall promulgate rules that further define a
2 person's eligibility to claim the tax credit."

3 **14.** Page 1422, line 7: after that line insert:

4 "(3v) PROPOSALS FOR TRANSPORTATION PLANNING, ACCESS AND INFRASTRUCTURE
5 IMPROVEMENTS. The department of transportation shall work with the city of Green
6 Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh to develop
7 proposals for transportation planning, access and infrastructure improvements for
8 inclusion in the department's submission under section 16.42 (1) of the statutes for
9 the purposes of the 2001-03 biennial budget act."

10 **15.** Page 1462, line 3: after that line insert:

11 "(22c) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. The treatment of sections
12 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a),
13 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1)
14 (eon) of the statutes ~~shall~~ first applies to taxable years beginning on January 1 of
15 the year in which this subsection takes effect except that if this subsection takes
16 effect after July 31 the treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1)
17 (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1)
18 (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes ~~shall~~ first applies
19 to taxable years beginning on January 1 of the year following the year in which this
20 subsection takes effect."

21 (END)

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

LRBb0438/lins
RCT/JK/PJK;jlg&kmg:mrc

Insert 6 - 12

- ✓ **1.** Page 902, line 3: delete "or (2dx)" and substitute "~~or~~, (2dx) or (2dy)".
- ✓ **2.** Page 902, line 3: on lines 3 and 4, after "(1dx)" insert ", (2dy)".

Barman, Mike

From: Barman, Mike
Sent: Monday, June 14, 1999 2:25 PM
To: Shanovich, Ron
Subject: LRB 99b0438/2



99b0438/2

Mike Barman

Mike Barman - Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0438/2
RCT/JK/PJK;jlg&kmg:mrc

LFB:.....Bonderud - Sustainable urban development zone program

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 407, line 14: after that line insert:

3 "SECTION 332e. 20.370 (6) (er) of the statutes is created to read:

4 20.370 (6) (er) *Environmental aids - sustainable urban development zones.*

5 Biennially, from the environmental fund, the amounts in the schedule for the
6 sustainable urban development zone program under s. 292.77."

7 2. Page 842, line 22: after that line insert:

8 "SECTION 1684d. 71.05 (6) (a) 15. of the statutes is amended to read:

9 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
10 (2di), (2dj), (2dL), (2dr), (2ds), (2dx), ~~(2dy)~~ and (3s) and not passed through by a
11 partnership, limited liability company or tax-option corporation that has added that

1 amount to the partnership's, company's or tax-option corporation's income under s.
2 71.21 (4) or 71.34 (1) (g).”.

3 **3.** Page 854, line 10: after that line insert:

4 “**SECTION 1709c.** 71.07 (2dy) of the statutes is created to read:

5 71.07 (**2dy**) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
6 this subsection:

7 1. “Brownfield” has the meaning given in sub. (2dx) (a) 1.

8 2. “Environmental remediation” means removal or containment of
9 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
10 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
11 in a brownfield and investigation unless the investigation determines that
12 remediation is required but remediation is not undertaken.

13 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
14 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
15 of the amount expended for environmental remediation under the program under s.
16 292.77.

17 (c) *Administration.* Subsection (2dx) (c), (d) and (e), as it applies to the credit
18 under sub. (2dx), applies to the credit under this subsection.”.

19 **4.** Page 856, line 2: after that line insert:

20 “**SECTION 1719g.** 71.08 (1) (intro.) of the statutes is amended to read:

21 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
22 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
23 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (~~2dy~~), (2fd), (3m), (3s),
24 (6) and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (~~1dy~~), (1fd), (2m) and

1 (3) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and (3) and
2 subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the
3 tax under this section, there is imposed on that natural person, married couple filing
4 jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax
5 computed as follows:

6 **SECTION 1719m.** 71.10 (4) (gv) of the statutes is created to read:

7 71.10 (4) (gv) Sustainable urban development zone credit under s. 71.07
8 (2dy).”.

9 **5.** Page 856, line 24: after that line insert:

10 **“SECTION 1722m.** 71.21 (4) of the statutes is amended to read:

11 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
12 (2dj), (2dL), (2ds), (2dx), (2dy) and (3s) and passed through to partners shall be added
13 to the partnership’s income.”.

14 **6.** Page 876, line 13: after that line insert:

15 **“SECTION 1740d.** 71.26 (2) (a) of the statutes is amended to read:

16 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means
17 the gross income as computed under the internal revenue code as modified under
18 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit
19 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
20 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) ~~and~~ (1dy) and not
21 passed through by a partnership, limited liability company or tax–option corporation
22 that has added that amount to the partnership’s, limited liability company’s or
23 tax–option corporation’s income under s. 71.21 (4) or 71.34 (1) (g) plus the amount
24 of losses from the sale or other disposition of assets the gain from which would be

1 wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise
2 disposed of at a gain and minus deductions, as computed under the internal revenue
3 code as modified under sub. (3), plus or minus, as appropriate, an amount equal to
4 the difference between the federal basis and Wisconsin basis of any asset sold,
5 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
6 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).”.

7 **7.** Page 877, line 17: after that line insert:

8 **“SECTION 1743d.** 71.28 (1dy) of the statutes is created to read:

9 71.28 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
10 this subsection:

11 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

12 2. “Environmental remediation” means removal or containment of
13 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
14 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
15 in a brownfield and investigation unless the investigation determines that
16 remediation is required but remediation is not undertaken.

17 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
18 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
19 of the amount expended for environmental remediation under the program under s.
20 292.77.

21 (c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit
22 under sub. (1dx), applies to the credit under this subsection.”.

23 **8.** Page 879, line 16: after that line insert:

24 **“SECTION 1747m.** 71.30 (3) (eon) of the statutes is created to read:

1 71.30 (3) (eon) Sustainable urban development zone credit under s. 71.28
2 (1dy).”.

3 **9.** Page 879, line 21: after that line insert:

4 **“SECTION 1748p.** 71.34 (1) (g) of the statutes is amended to read:

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

8 **10.** Page 879, line 25: after that line insert:

9 **“SECTION 1749n.** 71.45 (2) (a) 10. of the statutes is amended to read:

10 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
11 computed under s. 71.47 (1dd) to ~~(1dx)~~ (1dy) and not passed through by a
12 partnership, limited liability company or tax–option corporation that has added that
13 amount to the partnership’s, limited liability company’s or tax–option corporation’s
14 income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under
15 s. 71.47 (1), (3), (4) and (5).”.

16 **11.** Page 882, line 4: after that line insert:

17 **“SECTION 1756h.** 71.47 (1dy) of the statutes is created to read:

18 71.47 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
19 this subsection:

20 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

21 2. “Environmental remediation” means removal or containment of
22 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
23 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),

1 in a brownfield and investigation unless the investigation determines that
2 remediation is required but remediation is not undertaken.

3 (b) *Credit*. For any taxable year for which the person is certified under s. 292.77
4 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
5 of the amount expended for environmental remediation under the program under s.
6 292.77.

7 (c) *Administration*. Subsection (1dx) (c), (d) and (e), as it applies to the credit
8 under sub. (1dx), applies to the credit under this subsection.”.

9 **12.** Page 884, line 7: after that line insert:

10 “**SECTION 1760q.** 71.49 (1) (eon) of the statutes is created to read:

11 71.49 (1) (eon) Sustainable urban development zone credit under s. 71.47
12 (1dy).”.

13 **13.** Page 902, line 3: delete “or (2dx)” and substitute “or, (2dx) or (2dy)”.

14 **14.** Page 902, line 3: on lines 3 and 4, after “(1dx)” insert “, (2dy)”.

15 **15.** Page 1197, line 2: after that line insert:

16 “**SECTION 2649h.** 292.77 of the statutes is created to read:

17 **292.77 Sustainable urban development zone program.** (1) In this
18 section, “brownfields” has the meaning given in s. 560.13 (1) (a).

19 (2) The department shall develop and, beginning no later than January 1,
20 2001, administer a pilot program in the city of Green Bay, the city of La Crosse, the
21 city of Milwaukee and the city of Oshkosh that promotes the use of financial
22 incentives to clean up and redevelop brownfields. Funds provided under the
23 program may be used to investigate environmental contamination and to conduct
24 cleanups of brownfields in those cities.

1 (3) In developing and administering the pilot program under sub. (2), the
2 department shall consult and coordinate with the department of administration, the
3 department of commerce, the department of health and family services, the
4 department of revenue, the department of transportation and the cities specified in
5 sub. (2).

6 (4) During the 1999–2001 fiscal biennium, the department shall make the
7 following amounts available through the pilot program under sub. (2):

8 (a) To the city of Green Bay, \$500,000.

9 (b) To the city of La Crosse, \$500,000.

10 (c) To the city of Milwaukee, \$1,000,000.

11 (d) To the city of Oshkosh, \$250,000.

12 (5) (a) The department of commerce shall certify a person conducting a project
13 under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28
14 (1dy) or 71.47 (1dy) while the person is conducting the project.

15 (b) Within 3 months after a person is certified under par. (a), the department
16 of commerce shall estimate the amount of tax benefits that the person will claim
17 while conducting the project.

18 (c) The department of commerce shall provide a person certified under par. (a)
19 and the department of revenue with a copy of the certification. The certification shall
20 include all of the following:

21 1. The name and address of the person's business.

22 2. The location and description of the project.

23 3. The appropriate Wisconsin tax identification number of the person.

24 4. The names and addresses of other locations where the person conducts
25 business and a description of the business activities conducted at those locations.

