

**2001 DRAFTING REQUEST****Bill**Received: **09/27/2001**Received By: **malaigm**Wanted: **10/03/2001**

Identical to LRB:

For: **Jean Hundertmark (608) 266-3794**By/Representing: **Bob Conlin, LC**This file may be shown to any legislator: **NO**Drafter: **malaigm**

May Contact:

Addl. Drafters: **phurley  
mdsida  
jkreye  
mlief  
grantpr**

Subject: **Correctional System - misc  
Education - school boards  
Education - MPS  
Employ Priv - job training  
Higher Education - UW System  
Higher Education - tech. college  
Higher Education - miscellaneous  
Transportation - driver licenses  
Tax Credits - miscellaneous**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Legislative Council Committee on Labor Shortage nonfiscal recommendations

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**Instructions:**

See Attached--draft as a separate bill the nonfiscal items of the Legislative Council Committee on Labor Shortage's recommendations.

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**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>
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/2	malaigm 10/03/2001	csicilia 10/04/2001	kfollet 10/04/2001	_____	lrb_docadmin 10/04/2001	lrb_docadmin 10/04/2001 lrb_docadmin 10/04/2001	

FE Sent For: 10/04/2001.

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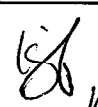
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## Malaise, Gordon

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**From:** Conlin, Robert  
**Sent:** Thursday, September 27, 2001 8:50 AM  
**To:** Malaise, Gordon  
**Cc:** Rostan, Jason  
**Subject:** Labor Shortage Bill (AB 516--LRB 3844)

Gordon:

The Assembly Labor and Workforce Development Committee met yesterday and discussed the Labor Shortage legislation that you help put in order. It has been decided that the bills should be broken up in to 3 separate bills to be introduced by the committee: a "non-fiscal" bill; a "fiscal" bill; and an apprenticeship tax credit bill. Joe Kreye has already been contacted by Rep. Vrakas about drafting the apprenticeship tax credit bill. The other 2 bills should consist of the following:

"Non-fiscal": 1) Labor Day Report; 2) Department of Corrections Study; 3) Tax Study; 4) Student Loan Forgiveness Study; 5) Job Skills Training Program Report; 6) Job Training Access Policies; and 7) Occupational Drivers License Fee.

"Fiscal": 1) Productivity Enhancement Training Tax Credit; 2) Development Zone Tax Credit; 3) Workplace Diversity Grant Program; 4) Job Retention Skills Development Program; 5) Preapprenticeship Basic Skills Grant Program; and 6) Apprenticeship Marketing Program.

Several items will drop out entirely. They are: 1) Education Tax Credit; 2) Trade Master's Pilot Program; and 3) Nursing Student Loan Forgiveness Program.

The Labor Committee would like to take these three bills up on October 10. Therefore, it would be helpful if we could get the LRB drafts by October 3 or 4. If you have any questions, please feel free to contact me.

Thanks.

**Bob Conlin**  
Senior Staff Attorney  
Wisconsin Legislative Council Staff  
(608) 266-2298

# Memo

**To:** Peggy Hurley, Joe Kreye, Peter Grant, Lonnie Lief, and Mike Dsida

**From:** Gordon M. Malaise

**Subject:** Committee on Labor Shortage Nonfiscal Recommendations

**Date:** September 27, 2001

The Assembly Labor and Workforce Development Committee has decided to break up 2001 AB 516 (LRB-3844/1) into three separate bills. One will consist of the apprenticeship tax credit item of AB 516, which Joe is handling, another will consist of the items having a fiscal impact, and the attached consists of the items that do not have a fiscal impact.

Please review your portions of the attached draft, including my conversion of the Legislative Council's prefatory note into an analysis. For most of you no changes should be necessary. Peggy, however, will probably have to redraft her sections in light of changes made by Act 16.

Please complete your review of the attached draft quickly and pass it on to the next person. The last person may return the draft to me, and I will forward both the hard copy and the electronic file on to the editors. **The draft is wanted by October 3, 2001.**

Thank you for your kind consideration.

-3896/1

Wed. 10/3 4:00 PM

2001 ASSEMBLY BILL 516

DN-IE

September 24, 2001 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Labor and Workforce Development.

Regenerate

1 AN ACT to renumber 120.13 (17) (title); to renumber and amend 120.13 (17)  
2 and 343.10 (6); to amend 20.445 (3) (md), 39.393 (2), 39.393 (3), 49.1475, 71.05  
3 (6) (a) 15., 71.08 (1) (intro.), 71.21 (4), 71.26 (2) (a), 71.28 (1dx) (b) 1., 71.34 (1)  
4 (g), 71.45 (2) (a) 10., 77.92 (4), 106.01 (11), 119.04 (1), 119.70 (5), 343.10 (1) (a)  
5 and 560.797 (4) (f); and to create 15.227 (14), 20.292 (1) (kd), 20.445 (1) (d),  
6 36.11 (1) (cg), 38.14 (2) (e), 38.34, 49.175 (1) (zp), 71.07 (5d), 71.07 (5r), 71.07  
7 (5v), 71.10 (4) (cd), 71.10 (4) (cp), 71.10 (4) (k), 71.28 (1dx) (b) 1m., 71.28 (1dx)  
8 (f), 71.28 (5d), 71.28 (5r), 71.28 (5v), 71.30 (3) (dg), 71.30 (3) (dm), 71.30 (3) (g),  
9 71.47 (5d), 71.47 (5r), 71.47 (5v), 71.49 (1) (dg), 71.49 (1) (dm), 71.49 (1) (g),  
10 106.01 (12), 106.01 (13), 106.175, 106.18, 106.28, 118.115 (2), 343.10 (6) (b) and  
11 560.157 of the statutes; relating to: special labor-related reports; training,  
12 education, and development zone tax credits; training and education programs;

ASSEMBLY BILL 516

1  
2  
~~providing an exemption from emergency rule procedures; granting rule making authority; and making appropriations~~

*Analysis by the Legislative Reference Bureau*

~~This bill is explained in the NOTES provided by the joint legislative council in the bill.~~

Insert  
A

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on labor shortage. The bill makes numerous changes to current law in a variety of subject matters. Among other things, the bill does the following:

SPECIAL LABOR-RELATED REPORTS

Labor Day Report

The bill requires the department of workforce development (DWD) to prepare an annual report on the labor supply in Wisconsin. The report must describe any critical labor shortage areas identified by DWD by occupation, region, gender, and race. The report must also recommend potential solutions for those critical labor shortages. Copies of the report must be submitted to the appropriate standing committees of the legislature, to the local workforce development boards established under the federal Workforce Investment Act of 1998 throughout the state, and to other appropriate organizations as determined by DWD.

Department of Corrections Study

The bill requires the department of corrections to report on the availability and effectiveness of programs that provide drug and alcohol abuse treatment, instruction in basic skills such as reading and math, and job skills training to prisoners. The report must include an analysis of the enrollment in and access to these programs by race compared with the racial composition of the prison population as a whole. The report must also include suggestions for programs that would help prisoners enter the workforce.

Tax Study

The bill requires the department of revenue (DOR), in cooperation with DWD, to study and report on current workforce development-related tax incentives and to make recommendations on the state's tax laws to help ensure that the state is able to attract, develop, and retain a highly skilled, highly trained workforce. In developing the report, groups representing employers, employees, taxpayers, and other appropriate groups must be consulted. The report must also consider similar tax incentives in other states.

Student Loan Forgiveness Study

The bill requires the higher educational aids board (HEAB), by January 1, 2002, to study and report on the cost, desirability, and effectiveness of creating a student loan forgiveness program to attract workers to the state.

Jobs Skills Training Program Report

The bill requires DWD to collect information concerning the availability of basic job skills training programs in the state and periodically prepare reports identifying

**ASSEMBLY BILL 516**

those programs for distribution to local workforce development boards, job centers, and other appropriate organizations. To the extent practicable, the reports must identify available training programs by region.

**TAX INCENTIVES****Productivity Enhancement Training Tax Credit**

The bill provides a nonrefundable business tax credit for expenses incurred by a business to provide certain training to the business's employees. 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 bill, 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.

The purpose of the credit is to encourage businesses to provide training to their employees to improve productivity and to 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: (1) increase employee productivity; and (2) result in employees holding jobs in the business that require higher degrees of skill to perform and that pay higher wages than their current 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.

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 the business receives the certification, on the results of its productivity enhancement training and on its success in meeting the goals established in its productivity enhancement training plan. The department of commerce is required to report to the legislature by December 1 annually on the effectiveness of the program.

The tax credit is available for taxable years beginning after December 1, 2000. No business may be certified for tax credits for any taxable year beginning after December 31, 2009.

**Apprenticeship Tax Credit**

The bill creates an income tax and franchise tax credit for an employer that pays wages to an apprentice who is participating in a two-year to five-year apprenticeship program in which the apprentice is receiving instruction leading to qualification as a skilled journeyman in any industrial manufacturing trade, any private sector service occupation, or certain construction trades. The amount of the credit is five percent of the wages that are paid to an apprentice in a taxable year, but cannot exceed \$1,400, except that, in the taxable year in which the apprentice completes the apprenticeship program, the amount of the credit is eight percent of the wages that are paid to an apprentice, but cannot exceed \$3,000. An employer will not receive the credit unless the employer enters into an agreement with DWD permitting DWD to post on DWD's Internet site the employer's name and address and the number of apprentices and journeymen that the employer employs during the year. Generally, no employer may claim the credit for taxable years beginning after December 31, 2004, if the number of employers training

**ASSEMBLY BILL 516**

apprentices does not increase by more than 40% from January 1, 2002, to December 31, 2004.

Education Tax Credit

The bill creates an income tax and franchise tax credit for businesses that pay tuition for an individual to attend a university, college, or technical college. 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. The credit is an amount equal to: (1) 50% of the tuition paid by a business for an individual to attend school in a taxable year, if the individual is enrolled in a degree-granting program; and (2) 75% of the tuition paid by a business for an individual to attend school in a taxable year, if the individual is enrolled in a degree-granting program and if the individual's taxable income is not more than 185% of the federal poverty line. If the credit claimed by a business exceeds the business's tax liability, the state will not issue a refund check, but the business may carry forward any remaining credit to subsequent taxable years.

Development Zone Tax Credits

Under current law, a person may claim an income tax credit for up to 50% of the person's environmental remediation expenses incurred 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.

This bill provides that any person eligible to claim a credit for remediation expenses incurred in a development zone may transfer the right to claim the credit to any other person subject to taxation in this state. In addition, the bill 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 bill requires DOR to promulgate rules implementing the credit transfer provisions.

TRAINING AND EDUCATIONJob Training Access Policies

The bill requires every public educational institution in the state to have a policy regarding access to their facilities by local organizations and businesses for the purpose of employment-related training. If the policy allows for such access, the policy shall set a reasonable cost. The policy may allow access based on the availability of space and the appropriateness of the training and only insofar as access would be consistent with the institution's mission.

Trade Master's Pilot Program

Under current law, \$50,000 is provided in fiscal year 2001-02 for DWD to provide a trade master's pilot program to recognize advanced training and postapprenticeship achievements in three trades, crafts, or businesses, one of which must be in the industrial sector, one in the construction sector, and one in the service sector of the economy.

This bill requires DWD, in selecting the trades, crafts, or businesses to be included in the pilot program, to seek to maximize participation in the pilot program of minority group members. The bill also requires DWD to submit to the legislature by July 1, 2004, an evaluation of the effectiveness of the program. In addition, the bill appropriates \$110,000 in fiscal year 2001-02 and \$120,000 in fiscal year 2002-03 to increase the full-time equivalent positions authorized for DWD by one position for the implementation and development of the program.

Workplace Diversity Grant Program

The bill creates a workplace diversity grant program administered by DWD. Under the program, local, nonprofit organizations that offer diversity training, basic

**ASSEMBLY BILL 516**

employment skills development, or instruction in English as a second language to employees and to persons seeking employment may qualify for grants.

A local, nonprofit organization is qualified for a grant if any of the following apply:

(1) The governing body of the local, nonprofit organization is comprised of representatives of private sector employers and local government units or agencies, and the local, nonprofit organization assists local employers in meeting their workforce needs.

(2) The local, nonprofit organization assists persons who have been convicted of a crime, whether employed or not, in strengthening or developing their employment skills and in making or easing their transition from incarceration to work.

(3) The local nonprofit organization assists any of the following persons, whether employed or not, in preparing for or gaining entry into the skilled trades: (a) persons eligible for the Wisconsin works program (commonly referred to as "W-2"); (b) military veterans; (c) persons who have been convicted of a crime; (d) persons eligible for food stamps; and (e) minority group members.

DWD must attempt to award grants to eligible organizations from different geographic regions of the state. The bill appropriates \$120,000 for the grants in fiscal year 2001-02 and limits the amount of a grant to any given organization to \$30,000.

Applications for the grants must be received by December 1, 2001, and the grants must be awarded by January 1, 2002.

The bill requires DWD, by September 1, 2002, to report on the grant program, including the uses made of the grants. The report must recommend whether the program should be funded in the next biennium and, if continued funding is recommended, the report must recommend an appropriate funding level and any changes that should be made to the program.

*Job Retention Skills Development Program*

The bill requires each technical college district board to make available, and offer at a frequency based upon demand in the district, a 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. To the extent practicable, the program must be provided at employment sites.

The program must emphasize job retention 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.

In supervising and establishing minimum requirements for the program, the state technical college system board (state board) must consult with employers, technical college district boards (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 bill requires the state board, in consultation with employers, district boards, and DWD, to develop standards to assess the job retention and skills competencies of participants before and after participation in the program. The program expires on December 31, 2004.

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

Finally, the bill requires W-2 agencies to coordinate case management services that are provided to W-2 participants in unsubsidized employment with the job retention skills development program.

*Nursing Student Loan Forgiveness Program*

**ASSEMBLY BILL 516**

Under current law, \$450,000 is appropriated in fiscal year 2002-03 for HEAB to make loans to defray the cost of tuition, fees, and expenses for persons enrolled in a program in this state that confers an associate degree, a bachelor's degree, or a diploma, in nursing or that confers a second degree that will make the person eligible to take the nursing licensure examination. The maximum amount of loans that a person may receive during a fiscal year is \$3,000, and the maximum total amount of loans that a person may receive is \$15,000. After the loan recipient has completed the program, HEAB must forgive 25% of the loan's principal and interest after the first full year, and 25% of the loan's principal and interest after the second full year, that the loan recipient has been employed full time in this state as a nurse.

This bill requires HEAB, to the extent possible, to make those loans to persons who are likely to work in the nursing profession in this state upon completion of the program and who demonstrate a financial need for the loan. The bill also requires HEAB, in making the loans, to give priority to persons who are minority group members and who reside in urban areas of this state that have unemployment rates higher than the state average. In addition, the bill requires HEAB to forgive 50% of the loan's principal and interest after the third full year that the loan recipient has been employed full time in this state as a nurse.

*Preapprenticeship Basic Skills Training*

The bill directs DWD to contract with an organization of employees, an association of employers, or some other similar responsible agency in this state (organization) to provide preapprenticeship basic skills training grants of up to \$500 to persons whose family income does not exceed 165% of the federal poverty line and who have previously failed a test for placement in an apprenticeship program providing instruction in an industrial manufacturing trade, a private sector service occupation, or certain construction trades, but who wish to participate in such a program. A person who receives a preapprenticeship basic skills training grant may use the grant moneys received to pay for the costs of tuition, fees, books, supplies, and materials, and for any other direct training costs, required to attend a preapprenticeship basic skills training program provided by an organization, a technical college, or a proprietary school approved by the educational approval board.

*OTHER*

*Occupational Driver's License Fee*

Prior to passage of 1999 Wisconsin Act 9, the biennial budget act, a person could have his or her operating privileges suspended for failing to pay a judgment for an ordinance violation unrelated to the person's operation of a motor vehicle. Although Act 9 repealed this authority, the act did not restore operating privileges to persons who had their operating privileges suspended prior to Act 9. Under current law, a person whose operating privilege is suspended for failing to pay a judgment for an ordinance violation is not eligible to apply for an occupational driver's license.

This bill allows a person whose operating privilege was suspended solely for failing to pay a judgment for an ordinance violation unrelated to the operation of a motor vehicle to apply for an occupational driver's license upon payment of a \$10 fee. This fee represents a reduction from the \$40 application fee generally charged for an occupational license.

*Apprenticeship Marketing Program*

The bill requires DWD to conduct apprenticeship marketing activities, including the development and provision of promotional materials directed at encouraging employers to hire apprentices, educating high school career counselors on careers available in the skilled trades, encouraging the youth of this state to consider a career in the skilled trades, and otherwise promoting the availability and benefits of careers in the skilled trades. The bill requires DWD to solicit contributions from private sources to assist in the provision of those promotional materials and to seek the advice of and consult



**ASSEMBLY BILL 516**

~~with the apprenticeship marketing council created by the bill regarding the administration of those apprenticeship marketing activities.~~

1           **SECTION 1.** 15.227 (14) of the statutes is created to read:

2           15.227 (14) **APPRENTICESHIP MARKETING COUNCIL.** There is created in the  
3 department of workforce development an apprenticeship marketing council  
4 appointed by the secretary of workforce development. The council shall consist of 4  
5 members appointed for 3-year terms who represent the interests of employees, 4  
6 members appointed for 3-year terms who represent the interests of employers, and  
7 2 employees of the department of workforce development to serve at the pleasure of  
8 the secretary.

9           **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
10 the following amounts for the purposes indicated:

			2001-02	2002-03
11				
12	<b>20.445 Workforce development, department of</b>			
13	(1) <b>WORKFORCE DEVELOPMENT</b>			
14	(d) Workplace diversity grant pro-			
15	gram	GPR A	\$120,000	-0-

16           **SECTION 3.** 20.292 (1) (kd) of the statutes is created to read:

17           20.292 (1) (kd) *Job retention skills development programs.* All moneys  
18 transferred from the appropriation account under s. 20.445 (3) (md) for job retention  
19 skills development programs under s. 38.34. No moneys may be encumbered from  
20 this appropriation after June 30, 2003.

21           **SECTION 4.** 20.445 (1) (d) of the statutes is created to read:

22           20.445 (1) (d) *Workplace diversity grant program.* The amounts in the schedule  
23 for workplace diversity grants under s. 106.28.

## ASSEMBLY BILL 516

## SECTION 5

1 ~~SECTION 5. 20.445 (3) (md) of the statutes, as affected by 2001 Wisconsin Act~~  
2 ~~16, is amended to read:~~

3 ~~20.445 (3) (md) Federal block grant aids. The amounts in the schedule, less~~  
4 ~~the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and~~  
5 ~~to be transferred to the appropriation accounts under ss. 20.255 (2) (kh) and (kp),~~  
6 ~~20.292 (1) (kd), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km), and~~  
7 ~~(ky), (5) (ky), (7) (ky), and (8) (kx), 20.465 (4) (k), and 20.835 (2) (kf). All block grant~~  
8 ~~moneys received for these purposes from the federal government or any of its~~  
9 ~~agencies and all moneys recovered under s. 49.143 (3) shall be credited to this~~  
10 ~~appropriation account.~~

11 ~~SECTION 6. 36.11 (1) (cg) of the statutes is created to read:~~

12 ~~36.11 (1) (cg) The board shall ensure that each institution and college campus~~  
13 ~~establishes a written policy regarding the use of classrooms and facilities by local~~  
14 ~~organizations and businesses for employment-related training. The policy may~~  
15 ~~condition access on payment of a reasonable fee, the availability of space, and the~~  
16 ~~appropriateness of the training. The policy may limit access to activities that are~~  
17 ~~consistent with the mission of the institution or college campus.~~

18 ~~SECTION 7. 38.14 (2) (e) of the statutes is created to read:~~

19 ~~38.14 (2) (e) Each district board shall establish a written policy regarding the~~  
20 ~~use of classrooms and facilities by local organizations and businesses for~~  
21 ~~employment-related training. The policy may condition access on payment of a~~  
22 ~~reasonable fee, the availability of space, and the appropriateness of the training. The~~  
23 ~~policy may limit access to activities that are consistent with the mission of the~~  
24 ~~technical college.~~

25 ~~SECTION 8. 38.34 of the statutes is created to read:~~

**ASSEMBLY BILL 516****SECTION 8**

1       **38.34 Job retention skills development programs.** (1) Each district  
2 board shall make available, and shall offer at a frequency based upon demand in the  
3 district, a job retention skills development program in order to assist employers to  
4 retain new employees, build job skill levels of those employees, and assist those  
5 employees in attaining higher wages and long-term careers. To the extent  
6 practicable, the district board shall offer the program at employment sites. The  
7 program shall emphasize job retention skills development for employees with gross  
8 incomes at or below 200% of the poverty line, as defined in s. 49.001 (5), who are any  
9 of the following:

10       (a) Current or former recipients of public assistance, including participants in  
11 Wisconsin works employment positions under s. 49.147.

12       (b) Employees who are within the first 6 months of employment with their  
13 employer.

14       (c) Entry-level employees.

15       (2) The program shall provide training in all of the following:

16       (a) Skills needed to achieve punctuality and consistency in attendance at the  
17 employee's employment.

18       (b) Skills needed to effectively work in a team.

19       (c) Skills needed to effectively communicate with supervisors and coworkers.

20       (d) Skills needed to solve basic workplace-related personal and interpersonal  
21 problems.

22       (3) (a) The board shall supervise, and establish minimum requirements for, the  
23 program. Except as provided in sub. (2), the board shall determine the length and  
24 content of the program after consultation with employers, district boards, Wisconsin

## ASSEMBLY BILL 516

## SECTION 8

1 works agencies, as defined in s. 49.001 (9), local units of government, and labor  
2 organizations.

3 (b) In consultation with employers, district boards, and the department of  
4 workforce development, the board shall develop standards for assessing the job  
5 retention skills, including the skills specified in sub. (2), of employees before and  
6 after their participation in the program.

7 (4) To the extent practicable, the district board shall assist employers in  
8 providing ongoing job retention skills development and reinforcement activities in  
9 the workplace. The district board may charge employers a fee for the program and  
10 services offered under this section.

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

12 **SECTION 9.** 39.393 (2) of the statutes, as created by 2001 Wisconsin Act 16, is  
13 amended to read:

14 39.393 (2) Beginning in the 2002 03 fiscal year, the board shall make loans  
15 under this section from the appropriation account under s. 20.235 (1) (cm). To the  
16 extent possible, the board shall make loans under this section to persons who are  
17 likely to work in the nursing profession in this state upon completion of the program  
18 under sub. (1) and who demonstrate a financial need for the loan. In making loans  
19 under this section, the board shall give priority to persons who are minority group  
20 members, as defined in s. 560.036 (1) (f), and who reside in urban areas of this state  
21 that have unemployment rates higher than the state average. The maximum  
22 amount of loan for a person all loans that a person may receive under this section  
23 during any fiscal year is \$3,000. The maximum total amount of all loans that a  
24 person may receive under this section is \$15,000. The board shall ensure that the

## ASSEMBLY BILL 516

SECTION 9

1 terms of the loan do not require a loan recipient to repay the loan while the recipient  
2 is enrolled in a program under sub. (1).

3 **SECTION 10.** 39.393 (3) of the statutes, as created by 2001 Wisconsin Act 16, is  
4 amended to read:

5 39.393 (3) After the recipient of a loan under sub. (1) has completed the  
6 program described in sub. (1), the board shall forgive 25% of the loan's principal and  
7 interest after the first full year and, 25% of the loan's principal and interest after the  
8 2nd full year, and 50% of the loan's principal and interest after the 3rd full year that  
9 the recipient has been employed full time in this state as a nurse. The board may  
10 forgive loans on a prorated basis for persons who are employed less than full time.

11 **SECTION 11.** 49.1475 of the statutes is amended to read:

12 **49.1475 Follow-up services.** Following any follow-up period required by the  
13 contract entered into under s. 49.143, a Wisconsin works agency may provide case  
14 management services for an individual who moves from a Wisconsin works  
15 employment position to unsubsidized employment to help the individual retain the  
16 unsubsidized employment. Case management services may include the provision of  
17 employment skills training; English as a 2nd language classes, if the Wisconsin  
18 works agency determines that the course will facilitate the individual's efforts to  
19 retain employment; a course of study meeting the standards established under s.  
20 115.29 (4) for the granting of a declaration of equivalency of high school graduation;  
21 or other remedial education courses. A Wisconsin works agency shall coordinate case  
22 management services with a program offered by a technical college under s. 38.34.  
23 The Wisconsin works agency may provide case management services regardless of  
24 the individual's income and asset levels.

25 **SECTION 12.** 49.175 (1) (zp) of the statutes is created to read:

## ASSEMBLY BILL 516

## SECTION 12

1       ~~49.175 (1) (zp) *Job retention skills development programs.* For the transfer of~~  
2       ~~moneys to the technical college system board for implementation costs for job~~  
3       ~~retention skills development programs under s. 38.34, \$200,000 in fiscal year~~  
4       ~~2001-02.~~

5       ~~SECTION 13. 71.05 (6) (a) 15. of the statutes, as affected by 2001 Wisconsin Act~~  
6       ~~16, is amended to read:~~

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

12       ~~SECTION 14. 71.07 (5d) of the statutes is created to read:~~

13       ~~71.07 (5d) INDUSTRIAL, SERVICE, AND SKILLED TRADES APPRENTICESHIP CREDIT. (a)~~  
14       ~~In this subsection:~~

15       ~~1. "Apprentice" means a person who participates in a 2-year to 5-year~~  
16       ~~apprenticeship program, as determined and approved by the department, in which~~  
17       ~~the person receives instruction leading to qualification as a skilled journeyman in~~  
18       ~~any industrial manufacturing trade or private sector service occupation or receives~~  
19       ~~instruction in the construction trades leading to qualification as a skilled~~  
20       ~~journeyman carpenter, including a floor coverer, millwright, or pile driver; laborer;~~  
21       ~~ironworker; or painter, including a taper.~~

22       ~~2. "Claimant" means a person who files a claim under this subsection and who~~  
23       ~~is a trades trainer, as determined and approved by the department.~~

24       ~~3. "Department" means the department of workforce development.~~

**ASSEMBLY BILL 516****SECTION 14**

1 (b) Subject to the limitations provided in this subsection, for taxable years  
2 beginning after December 31, 2001, a claimant may claim as a credit against the  
3 taxes imposed under s. 71.02 an amount that is equal to 5% of the wages that the  
4 claimant paid to an apprentice in the taxable year, but not to exceed \$1,400, except  
5 that a claimant may claim as a credit against the taxes imposed under s. 71.02 an  
6 amount that is equal to 8% of the wages that the claimant paid to an apprentice in  
7 the taxable year in which the apprentice completes an apprenticeship program, but  
8 not to exceed \$3,000.

9 (c) No claimant may receive a credit under this subsection unless the claimant  
10 enters into an agreement with the department permitting the department to post on  
11 the department's Internet site the claimant's name and address and the number of  
12 apprentices and journeymen employed by the claimant during the calendar year.

13 (d) This subsection does not apply to taxable years that begin after December  
14 31, 2004, if the number of employers training apprentices in department-approved  
15 programs does not increase by more than 40% from January 1, 2002, to December  
16 31, 2004, as determined by the department, except that a claimant who has claimed  
17 a credit for an apprentice's wages in any taxable year beginning before January 1,  
18 2005, may continue to claim a credit for the apprentice's wages in succeeding taxable  
19 years, until the apprentice completes the apprenticeship program. As soon as  
20 practicable after December 31, 2004, the department shall certify to the department  
21 of revenue the number of employers training apprentices in approved programs on  
22 January 1, 2002, and the number of employers training apprentices in approved  
23 programs on December 31, 2004.

24 (e) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
25 under s. 71.28 (4), apply to the credit under this subsection.

**ASSEMBLY BILL 516****SECTION 14**

1 (f) 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 payment of wages under par. (b). A partnership, limited  
4 liability company, or tax-option corporation shall compute the amount of credit that  
5 each of its partners, members, or shareholders may claim and shall provide that  
6 information to each of them. Partners, members of limited liability companies, and  
7 shareholders of tax-option corporations may claim the credit in proportion to their  
8 ownership interests.

9 (g) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
10 applies to the credit under this subsection.

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

12 **71.07 (5r) EDUCATION CREDIT.** (a) In this subsection:

13 1. "Claimant" means a sole proprietor, a partner, a member of a limited liability  
14 company, or a shareholder of a tax-option corporation who files a claim under this  
15 subsection.

16 2. "Degree-granting program" means an educational program for which an  
17 associate, a bachelor's, or a graduate degree is awarded upon successful completion.

18 3. "Family member" has the meaning given in s. 157.061 (7).

19 4. "Managing employee" means an individual who wholly or partially exercises  
20 operational or managerial control over, or who directly or indirectly conducts, the  
21 operation of the claimant's business.

22 5. "Poverty line" has the meaning given in s. 49.001 (5).

23 6. "Qualified postsecondary institution" means all of the following:



**ASSEMBLY BILL 516****SECTION 15**

1 a. A University of Wisconsin System institution, a technical college system  
2 institution, or a regionally accredited 4-year nonprofit college or university having  
3 its regional headquarters and principal place of business in this state.

4 b. A school approved under s. 45.54, if the school has a physical presence, and  
5 the delivery of education occurs, in this state.

6 (b) Subject to the limitations provided in this subsection, for taxable years  
7 beginning after December 31, 2001, a claimant may claim as a credit against the tax  
8 imposed under s. 71.02 an amount equal to the following:

9 1. Fifty percent of the tuition that the claimant paid or incurred during the  
10 taxable year for an individual to participate in an education program of a qualified  
11 postsecondary institution, if the individual was enrolled in a degree-granting  
12 program.

13 2. Seventy-five percent of the tuition that the claimant paid or incurred during  
14 the taxable year for an individual to participate in an education program of a  
15 qualified postsecondary institution, if the individual was enrolled in a  
16 degree-granting program and if the individual's taxable income in the year prior to  
17 commencing participation in the education program in connection with which a  
18 credit is claimed is not more than 185% of the poverty line.

19 (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
20 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the  
21 Internal Revenue Code.

22 (d) A claimant may not claim the credit under par. (b) for any tuition amounts  
23 that the claimant paid or incurred for a family member of the claimant or for a family  
24 member of a managing employee unless all of the following apply:

**ASSEMBLY BILL 516****SECTION 15**

1 1. The family member was employed an average of at least 20 hours a week as  
2 an employee of the claimant, or of the claimant's business, during the one-year  
3 period prior to commencing participation in the education program in connection  
4 with which the claimant claims a credit under par. (b).

5 2. The family member is enrolled in a degree-granting program that is  
6 substantially related to the claimant's business.

7 3. The family member is making satisfactory progress towards completing the  
8 degree-granting program under subd. 2.

9 (e) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
10 under s. 71.28 (4), apply to the credit under this subsection.

11 (f) Partnerships, limited liability companies, and tax-option corporations may  
12 not claim the credit under this subsection, but the eligibility for, and the amount of,  
13 the credit are based on their payment of tuition under par. (b). A partnership, limited  
14 liability company, or tax-option corporation shall compute the amount of credit that  
15 each of its partners, members, or shareholders may claim and shall provide that  
16 information to each of them. Partners, members of limited liability companies, and  
17 shareholders of tax-option corporations may claim the credit in proportion to their  
18 ownership interest.

19 (g) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
20 applies to the credit under this subsection.

21 **SECTION 16.** 71.07 (5v) of the statutes is created to read:

22 71.07 (5v) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. (a) In this subsection,  
23 "productivity enhancement training expenses" has the meaning given in s. 560.157

24 (1).

**ASSEMBLY BILL 516****SECTION 16**

1 (b) Subject to the limitations provided in this subsection, for taxable years  
2 beginning after December 31, 2000, any partner, member of a limited liability  
3 company, or a shareholder of a tax-option corporation may claim as a credit against  
4 taxes otherwise due under s. 71.02 an amount that is equal to 100% of the amount  
5 of the partner's, member's, or shareholder's productivity enhancement training  
6 expenses certified by the department of commerce under s. 560.157 in the taxable  
7 year for which the expenses are certified, but that is not to exceed \$7,500.

8 (c) The carry-over provisions of section 71.28 (4) (e) and (f), as they apply to the  
9 credit under s. 71.28 (4), apply to the credit under this subsection.

10 (d) A partner, member of a limited liability company, or shareholder of a  
11 tax-option corporation may not claim the credit under par. (b) for any productivity  
12 enhancement training expenses that the partner, member, or shareholder deducted  
13 from gross income for Wisconsin income tax or franchise tax purposes under section  
14 162 of the Internal Revenue Code.

15 (e) Partnerships, limited liability companies, and tax-option corporations may  
16 not claim the credit under this subsection, but the eligibility for, and the amount of,  
17 the credit are based on their productivity enhancement training expenses certified  
18 under s. 560.157. A partnership, limited liability company, or tax-option corporation  
19 shall compute the amount of credit that each of its partners, members, or  
20 shareholders may claim and shall provide that information to each of them.  
21 Partners, members of limited liability companies, and shareholders of tax-option  
22 corporations may claim the credit in proportion to their ownership interest.

23 (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
24 applies to the credit under this subsection.

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1 (g) No credit may be claimed under this subsection for taxable years beginning  
2 after December 31, 2009. Credits claimed under this subsection for taxable years  
3 beginning before January 1, 2010, may be carried forward to taxable years beginning  
4 after December 31, 2009, as provided under s. 71.28 (4) (f).

5 **SECTION 17.** 71.08 (1) (intro.) of the statutes is amended to read:

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

15 **SECTION 18.** 71.10 (4) (cd) of the statutes is created to read:

16 71.10 (4) (cd) Education credit under s. 71.07 (5r).

17 **SECTION 19.** 71.10 (4) (cp) of the statutes is created to read:

18 71.10 (4) (cp) Industrial, service, and skilled trades apprenticeship credit  
19 under s. 71.07 (5d).

20 **SECTION 20.** 71.10 (4) (k) of the statutes is created to read:

21 71.10 (4) (k) Productivity enhancement training credit under s. 71.07 (5v).

22 **SECTION 21.** 71.21 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is  
23 amended to read:

## ASSEMBLY BILL 516

1           71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),  
2           (2dj), (2dL), (2dm), (2ds), (2dx), (3g), and (3s), ~~(sd), (5r), and (5v)~~ and passed through  
3           to partners shall be added to the partnership's income.

4           **SECTION 22.** 71.26 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
5           is amended to read:

6           71.26 (2) (a) *Corporations in general.* The "net income" of a corporation means  
7           the gross income as computed under the Internal Revenue Code as modified under  
8           sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit  
9           computed under s. 71.28 (1), (3), (4), (5), plus the amount of the credit computed  
10          under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), and ~~(3g) (1dx), (3g), (5d),~~  
11          ~~(5r), and (5v)~~ and not passed through by a partnership, limited liability company, or  
12          tax-option corporation that has added that amount to the partnership's, limited  
13          liability company's, or tax-option corporation's income under s. 71.21 (4) or 71.34 (1)  
14          (g) plus the amount of losses from the sale or other disposition of assets the gain from  
15          which would be wholly exempt income, as defined in sub. (3) (L), if the assets were  
16          sold or otherwise disposed of at a gain and minus deductions, as computed under the  
17          Internal Revenue Code as modified under sub. (3), plus or minus, as appropriate, an  
18          amount equal to the difference between the federal basis and Wisconsin basis of any  
19          asset sold, exchanged, abandoned, or otherwise disposed of in a taxable transaction  
20          during the taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

21          **SECTION 23.** 71.28 (1dx) (b) 1. of the statutes is amended to read:

22          71.28 (1dx) (b) 1. Fifty percent of the amount expended by the person for  
23          environmental remediation in a development zone.

24          **SECTION 24.** 71.28 (1dx) (b) 1m. of the statutes is created to read:

## ASSEMBLY BILL 516

## SECTION 24

1           71.28 (1dx) (b) 1m. Fifty percent of the amount expended by a municipality, as  
2 defined in s. 292.01 (11), or an organization that is exempt from federal income  
3 taxation under section 501 (c) (3) of the Internal Revenue Code for environmental  
4 remediation in a development zone, if the municipality or organization has entered  
5 into an exclusive written agreement with the person claiming the credit that  
6 approves of the person claiming the credit based on the expenditures of the  
7 municipality or organization. The department shall promulgate rules to implement  
8 this subdivision.

9           **SECTION 25.** 71.28 (1dx) (f) of the statutes is created to read:

10           71.28 (1dx) (f) *Transfer of credits.* Any person who is eligible to claim a credit  
11 under par. (b) 1. may transfer the right to claim the credit under par. (b) 1. to any  
12 other person who is subject to taxation under this subchapter. The department shall  
13 promulgate rules to implement this paragraph.

14           **SECTION 26.** 71.28 (5d) of the statutes is created to read:

15           71.28 (5d) **INDUSTRIAL, SERVICE, AND SKILLED TRADES APPRENTICESHIP CREDIT.** (a)  
16 In this subsection:

17           1. "Apprentice" means a person who participates in a 2-year to 5-year  
18 apprenticeship program, as determined and approved by the department, in which  
19 the person receives instruction leading to qualification as a skilled journeyman in  
20 any industrial manufacturing trade or private sector service occupation or receives  
21 instruction in the construction trades leading to qualification as a skilled  
22 journeyman carpenter, including a floor coverer, millwright, or pile driver; laborer;  
23 ironworker; or painter, including a taper.

24           2. "Claimant" means a person who files a claim under this subsection and who  
25 is a trades trainer, as determined and approved by the department.

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1 3. "Department" means the department of workforce development.

2 (b) Subject to the limitations provided in this subsection, for taxable years  
3 beginning after December 31, 2001, a claimant may claim as a credit against the  
4 taxes imposed under s. 71.23 an amount that is equal to 5% of the wages that the  
5 claimant paid to an apprentice in the taxable year, but not to exceed \$1,400, except  
6 that a claimant may claim as a credit against the taxes imposed under s. 71.23 an  
7 amount that is equal to 8% of the wages that the claimant paid to an apprentice in  
8 the taxable year in which the apprentice completes an apprenticeship program, but  
9 not to exceed \$3,000.

10 (c) No claimant may receive a credit under this subsection unless the claimant  
11 enters into an agreement with the department permitting the department to post on  
12 the department's Internet site the claimant's name and address and the number of  
13 apprentices and journeymen employed by the claimant during the calendar year.

14 (d) This subsection does not apply to taxable years that begin after December  
15 31, 2004, if the number of employers training apprentices in department-approved  
16 programs does not increase by more than 40% from January 1, 2002, to December  
17 31, 2004, as determined by the department, except that a claimant who has claimed  
18 a credit for an apprentice's wages in any taxable year beginning before January 1,  
19 2005, may continue to claim a credit for the apprentice's wages in succeeding taxable  
20 years, until the apprentice completes the apprenticeship program. As soon as  
21 practicable after December 31, 2004, the department shall certify to the department  
22 of revenue the number of employers training apprentices in approved programs on  
23 January 1, 2002, and the number of employers training apprentices in approved  
24 programs on December 31, 2004.

**ASSEMBLY BILL 516****SECTION 26**

1 (e) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit  
2 under sub. (4), apply to the credit under this subsection.

3 (f) Partnerships, limited liability companies, and tax-option corporations may  
4 not claim the credit under this subsection, but the eligibility for, and the amount of,  
5 the credit are based on their payment of wages under par. (b). A partnership, limited  
6 liability company, or tax-option corporation shall compute the amount of credit that  
7 each of its partners, members, or shareholders may claim and shall provide that  
8 information to each of them. Partners, members of limited liability companies, and  
9 shareholders of tax-option corporations may claim the credit in proportion to their  
10 ownership interests.

11 (g) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
12 to the credit under this subsection.

13 **SECTION 27.** 71.28 (5r) of the statutes is created to read:

14 **71.28 (5r) EDUCATION CREDIT.** (a) In this subsection:

- 15 1. "Claimant" means a corporation that files a claim under this subsection.
- 16 2. "Degree-granting program" means an education program for which an  
17 associate, a bachelor's, or a graduate degree is awarded upon successful completion.
- 18 3. "Family member" has the meaning given in s. 157.061 (7).
- 19 4. "Managing employee" means an individual who wholly or partially exercises  
20 operational or managerial control over, or who directly or indirectly conducts, the  
21 operation of the claimant's business.
- 22 5. "Poverty line" has the meaning given in s. 49.001 (5).
- 23 6. "Qualified postsecondary institution" means all of the following:



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1 a. A University of Wisconsin System institution, a technical college system  
2 institution, or a regionally accredited 4-year nonprofit college or university having  
3 its regional headquarters and principal place of business in this state.

4 b. A school approved under s. 45.54, if the school has a physical presence, and  
5 the delivery of education occurs, in this state.

6 (b) Subject to the limitations provided in this subsection, for taxable years  
7 beginning after December 31, 2001, a claimant may claim as a credit against the tax  
8 imposed under s. 71.23 an amount equal to the following:

9 1. Fifty percent of the tuition that the claimant paid or incurred during the  
10 taxable year for an individual to participate in an education program of a qualified  
11 postsecondary institution, if the individual was enrolled in a degree-granting  
12 program.

13 2. Seventy-five percent of the tuition that the claimant paid or incurred during  
14 the taxable year for an individual to participate in an education program of a  
15 qualified postsecondary institution, if the individual was enrolled in a  
16 degree-granting program and if the individual's taxable income in the year prior to  
17 commencing participation in the education program in connection with which a  
18 credit is claimed is not more than 185% of the poverty line.

19 (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
20 that the claimant has excluded under section 127 of the Internal Revenue Code.

21 (d) A claimant may not claim the credit under par. (b) for any tuition amounts  
22 that the claimant paid or incurred for a family member of a managing employee  
23 unless all of the following apply:

24 1. The family member was employed an average of at least 20 hours a week as  
25 an employee of the claimant, or the claimant's business, during the one-year period

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1 prior to commencing participation in the education program in connection with  
2 which the claimant claims a credit under par. (b).

3 2. The family member is enrolled in a degree-granting program that is  
4 substantially related to the claimant's business.

5 3. The family member is making satisfactory progress towards completing the  
6 degree-granting program under subd. 2.

7 (e) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit  
8 under sub. (4), apply to the credit under this subsection.

9 (f) Partnerships, limited liability companies, and tax-option corporations may  
10 not claim the credit under this subsection, but the eligibility for, and the amount of,  
11 the credit are based on their payment of tuition under par. (b). A partnership, limited  
12 liability company, or tax-option corporation shall compute the amount of credit that  
13 each of its partners, members, or shareholders may claim and shall provide that  
14 information to each of them. Partners, members of limited liability companies, and  
15 shareholders of tax-option corporations may claim the credit in proportion to their  
16 ownership interest.

17 (g) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
18 to the credit under this subsection.

19 **SECTION 28.** 71.28 (5v) of the statutes is created to read:

20 71.28 (5v) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. (a) In this subsection,  
21 "productivity enhancement training expenses" has the meaning given in s. 560.157  
22 (1).

23 (b) Subject to the limitations provided in this subsection, for taxable years  
24 beginning after December 31, 2000, any corporation may claim as a credit against  
25 taxes otherwise due under s. 71.23 an amount that is equal to 100% of the amount

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1 of the corporation's productivity enhancement training expenses certified by the  
2 department of commerce under s. 560.157 in the taxable year for which the expenses  
3 are certified, but that is not to exceed \$7,500.

4 (c) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit  
5 under sub. (4), apply to the credit under this subsection.

6 (d) A corporation may not claim the credit under par. (b) for any productivity  
7 enhancement training expenses that the corporation deducted from gross income for  
8 Wisconsin income tax or franchise tax purposes under section 162 of the Internal  
9 Revenue Code.

10 (e) Partnerships, limited liability companies, and tax-option corporations may  
11 not claim the credit under this subsection, but the eligibility for, and the amount of,  
12 the credit are based on their productivity enhancement training expenses certified  
13 under s. 560.157. A partnership, limited liability company or tax-option corporation  
14 shall compute the amount of credit that each of its partners, members, or  
15 shareholders may claim and shall provide that information to each of them.  
16 Partners, members of limited liability companies, and shareholders of tax-option  
17 corporations may claim the credit in proportion to their ownership interest.

18 (f) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
19 to the credit under this subsection.

20 (g) No credit may be claimed under this subsection for taxable years beginning  
21 after December 31, 2009. Credits claimed under this subsection for taxable years  
22 beginning before January 1, 2010, may be carried forward to taxable years beginning  
23 after December 31, 2009, as provided under sub. (4) (f).

24 **SECTION 29.** 71.30 (3) (dg) of the statutes is created to read:

25 71.30 (3) (dg) The education credit under s. 71.28 (5r).

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## SECTION 30

1           **SECTION 30.** 71.30 (3) (dm) of the statutes is created to read:

2           71.30 (3) (dm) The industrial, service, and skilled trades apprenticeship credit  
3 under s. 71.28 (5d).

4           **SECTION 31.** 71.30 (3) (g) of the statutes is created to read:

5           71.30 (3) (g) Productivity enhancement training credit under s. 71.28 (5v).

6           **SECTION 32.** 71.34 (1) (g) of the statutes, as affected by 2001 Wisconsin Act 16,  
7 is amended to read:

8           71.34 (1) (g) An addition shall be made for credits computed by a tax-option  
9 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dl), (1dm), (1ds), (1dx), (3), and  
10 (3g), (5d), (5r), and (5v) and passed through to shareholders.

11           **SECTION 33.** 71.45 (2) (a) 10. of the statutes is amended to read:

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

18           **SECTION 34.** 71.47 (5d) of the statutes is created to read:

19           71.47 (5d) INDUSTRIAL, SERVICE, AND SKILLED TRADES APPRENTICESHIP CREDIT. (a)  
20 In this subsection:

21           1. "Apprentice" means a person who participates in a 2-year to 5-year  
22 apprenticeship program, as determined and approved by the department, in which  
23 the person receives instruction leading to qualification as a skilled journeyman in  
24 any industrial manufacturing trade or private sector service occupation or receives  
25 instruction in the construction trades leading to qualification as a skilled

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1 journeyman carpenter, including a floor coverer, millwright, or pile driver; laborer;  
2 ironworker; or painter, including a taper.

3 2. "Claimant" means a person who files a claim under this subsection and who  
4 is a trades trainer, as determined and approved by the department.

5 3. "Department" means the department of workforce development.

6 (b) Subject to the limitations provided in this subsection, for taxable years  
7 beginning after December 31, 2001, a claimant may claim as a credit against the  
8 taxes imposed under s. 71.43 an amount that is equal to 5% of the wages that the  
9 claimant paid to an apprentice in the taxable year, but not to exceed \$1,400, except  
10 that a claimant may claim as a credit against the taxes imposed under s. 71.43 an  
11 amount that is equal to 8% of the wages that the claimant paid to an apprentice in  
12 the taxable year in which the apprentice completes an apprenticeship program, but  
13 not to exceed \$3,000.

14 (c) No claimant may receive a credit under this subsection unless the claimant  
15 enters into an agreement with the department permitting the department to post on  
16 the department's Internet site the claimant's name and address and the number of  
17 apprentices and journeymen employed by the claimant during the calendar year.

18 (d) This subsection does not apply to taxable years that begin after December  
19 31, 2004, if the number of employers training apprentices in department-approved  
20 programs does not increase by more than 40% from January 1, 2002, to December  
21 31, 2004, as determined by the department, except that a claimant who has claimed  
22 a credit for an apprentice's wages in any taxable year beginning before January 1,  
23 2005, may continue to claim a credit for the apprentice's wages in succeeding taxable  
24 years, until the apprentice completes the apprenticeship program. As soon as  
25 practicable after December 31, 2004, the department shall certify to the department

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1 of revenue the number of employers training apprentices in approved programs on  
2 January 1, 2002, and the number of employers training apprentices in approved  
3 programs on December 31, 2004.

4 (e) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
5 under s. 71.28 (4), apply to the credit under this subsection.

6 (f) 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 based on their payment of wages under par. (b). A partnership, limited  
9 liability company, or tax-option corporation shall compute the amount of credit that  
10 each of its partners, members, or shareholders may claim and shall provide that  
11 information to each of them. Partners, members of limited liability companies, and  
12 shareholders of tax-option corporations may claim the credit in proportion to their  
13 ownership interests.

14 (g) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
15 applies to the credit under this subsection.

16 **SECTION 35.** 71.47 (5r) of the statutes is created to read:

17 **71.47 (5r) EDUCATION CREDIT.** (a) In this subsection:

- 18 1. "Claimant" means a corporation that files a claim under this subsection.
- 19 2. "Degree-granting program" means an educational program for which an  
20 associate, a bachelor's, or a graduate degree is awarded upon successful completion.
- 21 3. "Family member" has the meaning given in s. 157.061 (7).
- 22 4. "Managing employee" means an individual who wholly or partially exercises  
23 operational or managerial control over, or who directly or indirectly conducts, the  
24 operation of the claimant's business.
- 25 5. "Poverty line" has the meaning given in s. 49.001 (5).

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1           6. “Qualified postsecondary institution” means all of the following:

2           a. A University of Wisconsin System institution, a technical college system  
3 institution, or a regionally accredited 4-year nonprofit college or university having  
4 its regional headquarters and principal place of business in this state.

5           b. A school approved under s. 45.54, if the school has a physical presence, and  
6 the delivery of education occurs, in this state.

7           (b) Subject to the limitations provided in this subsection, for taxable years  
8 beginning after December 31, 2001, a claimant may claim as a credit against the tax  
9 imposed under s. 71.43 an amount equal to the following:

10           1. Fifty percent of the tuition that the claimant paid or incurred during the  
11 taxable year for an individual to participate in an education program of a qualified  
12 postsecondary institution, if the individual was enrolled in a degree-granting  
13 program.

14           2. Seventy-five percent of the tuition that the claimant paid or incurred during  
15 the taxable year for an individual to participate in an education program of a  
16 qualified postsecondary institution, if the individual was enrolled in a  
17 degree-granting program and if the individual's taxable income in the year prior to  
18 commencing participation in the education program in connection with which a  
19 credit is claimed is not more than 185% of the poverty line.

20           (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
21 that the claimant excluded under section 127 of the Internal Revenue Code.

22           (d) A claimant may not claim the credit under par. (b) for any tuition amounts  
23 that the claimant paid or incurred for a family member of a managing employee  
24 unless all of the following apply:

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1           1. The family member was employed an average of at least 20 hours a week as  
2 an employee of the claimant, or the claimant's business, during the one-year period  
3 prior to commencing participation in the education program in connection with  
4 which the claimant claims a credit under par. (b).

5           2. The family member is enrolled in a degree-granting program that is  
6 substantially related to the claimant's business.

7           3. The family member is making satisfactory progress towards completing the  
8 degree-granting program under subd. 2.

9           (e) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
10 under s. 71.28 (4), apply to the credit under this subsection.

11           (f) Partnerships, limited liability companies, and tax-option corporations may  
12 not claim the credit under this subsection, but the eligibility for, and the amount of,  
13 the credit are based on their payment of tuition under par. (b). A partnership, limited  
14 liability company, or tax-option corporation shall compute the amount of credit that  
15 each of its partners, members, or shareholders may claim and shall provide that  
16 information to each of them. Partners, members of limited liability companies, and  
17 shareholders of tax-option corporations may claim the credit in proportion to their  
18 ownership interest.

19           (g) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
20 applies to the credit under this subsection.

21           **SECTION 36.** 71.47 (5v) of the statutes is created to read:

22           71.47 (5v) PRODUCTIVITY ENHANCEMENT TRAINING CREDIT. (a) In this subsection,  
23 "productivity enhancement training expenses" has the meaning given in s. 560.157

24 (1).



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1 (b) Subject to the limitations provided in this subsection, for taxable years  
2 beginning after December 31, 2000, any corporation may claim as a credit against  
3 taxes otherwise due under s. 71.43 an amount that is equal to 100% of the amount  
4 of the corporation's productivity enhancement training expenses certified by the  
5 department of commerce under s. 560.157 in the taxable year for which the expenses  
6 are certified, but not to exceed \$7,500.

7 (c) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
8 under s. 71.28 (4), apply to the credit under this subsection.

9 (d) A corporation may not claim the credit under par. (b) for any productivity  
10 enhancement training expenses that the corporation deducted from gross income for  
11 Wisconsin income tax or franchise tax purposes under section 162 of the Internal  
12 Revenue Code.

13 (e) Partnerships, limited liability companies, and tax-option corporations may  
14 not claim the credit under this subsection, but the eligibility for, and the amount of,  
15 the credit are based on their productivity enhancement training expenses certified  
16 under s. 560.157. A partnership, limited liability company, or tax-option corporation  
17 shall compute the amount of credit that each of its partners, members, or  
18 shareholders may claim and shall provide that information to each of them.  
19 Partners, members of limited liability companies, and shareholders of tax-option  
20 corporations may claim the credit in proportion to their ownership interest.

21 (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
22 applies to the credit under this subsection.

23 (g) No credit may be claimed under this subsection for taxable years beginning  
24 after December 31, 2009. Credits claimed under this subsection for taxable years

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1 beginning before January 1, 2010, may be carried forward to taxable years beginning  
2 after December 31, 2009 as provided under s. 71.28 (4) (f).

3 **SECTION 37.** 71.49 (1) (dg) of the statutes is created to read:

4 71.49 (1) (dg) Education credit under s. 71.47 (5r).

5 **SECTION 38.** 71.49 (1) (dm) of the statutes is created to read:

6 71.49 (1) (dm) Industrial, service, and skilled trades apprenticeship credit  
7 under s. 71.47 (5d).

8 **SECTION 39.** 71.49 (1) (g) of the statutes is created to read:

9 71.49 (1) (g) Productivity enhancement training credit under s. 71.47 (5v).

10 **SECTION 40.** 77.92 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is  
11 amended to read:

12 77.92 (4) "Net business income", with respect to a partnership, means taxable  
13 income as calculated under section 703 of the Internal Revenue Code; plus the items  
14 of income and gain under section 702 of the Internal Revenue Code, including taxable  
15 state and municipal bond interest and excluding nontaxable interest income or  
16 dividend income from federal government obligations; minus the items of loss and  
17 deduction under section 702 of the Internal Revenue Code, except items that are not  
18 deductible under s. 71.21; plus guaranteed payments to partners under section 707  
19 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),  
20 (2di), (2dj), (2dl), (2dm), (2dr), (2ds), (2dx), and (3g), and (3s), (5d), (5r), and (5v); and  
21 plus or minus, as appropriate, transitional adjustments, depreciation differences,  
22 and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding  
23 income, gain, loss, and deductions from farming. "Net business income", with respect  
24 to a natural person, estate, or trust, means profit from a trade or business for federal

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1 income tax purposes and includes net income derived as an employe as defined in  
2 section 3121 (d) (3) of the Internal Revenue Code.

3 **SECTION 41.** 106.01 (11) of the statutes, as created by 2001 Wisconsin Act 16,  
4 is amended to read:

5 106.01 (11) From the appropriation under s. 20.445 (1) (kt) the department  
6 shall provide a trade masters pilot program to recognize advanced training and  
7 postapprenticeship achievements in 3 trades, crafts, or businesses, one of which  
8 shall be in the industrial sector, one in the construction sector, and one in the service  
9 sector of the economy. In selecting the trades, crafts, or businesses to be included in  
10 the program, the department shall seek to maximize participation in the program of  
11 persons who are minority group members, as defined in s. 560.036 (1) (f). By July  
12 1, 2004, the department shall submit to the legislature under s. 13.172 (2) an  
13 evaluation of the effectiveness of the program.

14 **SECTION 42.** 106.01 (12) of the statutes is created to read:

15 106.01 (12) From the appropriations under s. 20.445 (1) (a) and (g), the  
16 department shall allocate \$150,000 in each fiscal year for apprenticeship marketing  
17 activities, including the development and distribution of promotional materials  
18 directed at encouraging employers to hire apprentices, educating high school career  
19 counselors on careers available in the skilled trades, encouraging the youth of this  
20 state to consider a career in the skilled trades, and otherwise promoting the  
21 availability and benefits of careers in the skilled trades. The department shall solicit  
22 contributions from private sources to assist in the provision of those promotional  
23 materials and shall credit any contributions received to the appropriation account  
24 under s. 20.445 (1) (g). The department shall seek the advice of and consult with the

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1 apprenticeship marketing council regarding the administration of the  
2 apprenticeship marketing activities provided under this subsection.

3 **SECTION 43.** 106.01 (13) of the statutes is created to read:

4 106.01 (13) (a) In this subsection, "industrial, service, or skilled trades  
5 apprenticeship program" means a 2-year to 5-year apprenticeship program, as  
6 determined and approved by the department, in which an apprentice receives  
7 instruction leading to qualification as a skilled journeyman in any industrial  
8 manufacturing trade or private sector service occupation or receives instruction in  
9 the construction trades leading to qualification as a skilled journeyman carpenter,  
10 including a floor coverer, millwright, or pile driver; laborer; ironworker; or painter,  
11 including a taper.

12 (b) From the appropriation under s. 20.445 (1) (a), the department shall  
13 allocate \$300,000 in each fiscal year to contract with an organization to provide  
14 preapprenticeship basic skills training grants of up to \$500 to persons who are  
15 eligible under this paragraph to receive those grants. A person is eligible to receive  
16 a grant under this paragraph if the person's family income does not exceed 165% of  
17 the poverty line for the continental United States, as revised annually by the federal  
18 department of health and human services under 42 USC 9902 (2), and if the person  
19 has previously failed a test for placement in an industrial, service, or skilled trades  
20 apprenticeship program, but wishes to participate in such a program. A person who  
21 receives a grant under this paragraph may use the grant moneys received to pay for  
22 the costs of tuition, fees, books, supplies, and materials, and for any other direct  
23 training costs, required to attend a preapprenticeship basic skills training program  
24 provided by an organization, a technical college, or a school approved by the  
25 educational approval board under s. 45.54.